



September 25, 2020

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September 25, 2020
**Commission on
State Mandates**

Heather Halsey
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980 9th Street, Suite 300
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LATE FILING

**RE: California Special Districts Association and League of California Cities Comments
Vote By Mail Ballots: Prepaid Postage (19-TC-01)**

Dear Ms. Halsey:

The comments below are submitted on behalf of the California Special Districts Association (CSDA) and League of California Cities (League) as “Interested Parties” to the Commission on State Mandates (Commission) Draft Proposed Decision and Parameters and Guidelines (P’s & G’s) for the approved Test Claim “Vote By Mail Ballots: Prepaid Postage” (19-TC-01). CSDA represents over 900 California special districts that deliver rural, suburban, and urban communities with critical infrastructure and quality of life services such as fire protection, water, health care, and utilities, to name a few. The League represents 477 cities and is a nonprofit statewide association that advocates for cities with the state and federal governments and provides education and training services to elected and appointed city officials.

Special Districts and Cities are Eligible Claimants

We are writing to express significant concern that special districts and cities are excluded as eligible claimants in the Commission’s Draft P’s & G’s for 19-TC-01. This is concerning because special districts and cities have experienced an increase of election costs as a result of the implementation of the requirements of Assembly Bill 216 (Gonzalez), given that our members are directly billed by counties for elections expenses, including mailing costs promulgated by AB 216. The increased costs incurred by special districts and cities as a result of AB 216 are reflected in election invoices they receive from their respective county registrar of voters, beginning with elections held following the effective date of AB 216 in January 2019.

**Prior Commission Precedent Identified by Nichols Consulting “Interested Party”
Comments (dated May 22, 2020)**

On Wednesday, May 22 Nichols Consulting submitted comments as an “Interested Party” regarding the eligible claimants identified in the Draft P’s & G’s for “Vote By Mail Ballots: Prepaid Postage” (19-TC-01). The comments provided by Nichols Consulting identified two analogous precedential decisions adopted by the Commission, whereby the Commission identified reimbursable costs to a local agency when a county performed a state mandated program or service and billed the local agency for the cost of the program or service delivery:

1. ***Adopted Statement of Decision, “Racial and Identity Profiling” (18-TC-02):***

On May 22, 2022, the Commission determined that cities who contract with their county sheriff (and other city police departments) to provide law enforcement services to their cities are eligible for reimbursement for the approved reimbursable activities associated the “Racial and Identity Profiling” program.

2. ***Parameters & Guidelines Amendment, “Absentee Ballots” (02-PGA-02):***

The Parameters & Guidelines (P’s & G’s) for “Absentee Ballots” were most recently amended on February 27, 2003. In these adopted P’s & G’s, the Commission adopted three (3) separate methods for calculating reimbursement for instances “where a local agency election is conducted by the county election official and billed to the local agency.”

Given this past precedent, the Commission should amend the draft proposed P’s & G’s to specifically include special districts and cities as eligible claimants. CSDA and the League agree with Nichols Consulting that these two past decisions by the Commission offer distinct analogous precedent of a county enacting “fee authority” and passing the costs of a state mandated activity to another local government agency, which in-turn was determined to be eligible for reimbursement.

Accordingly, CSDA and the League respectfully request the Commission to add local agencies (special districts and cities) where a local agency election is conducted by the county election official and billed to the local agency for the eligible costs associated with “Vote By Mail Ballots: Prepaid Postage” (19-TC-01).

Respectfully submitted,



Dillon Gibbons
Senior Legislative Representative (CSDA)



Nick Romo
Legislative Representative (League)

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

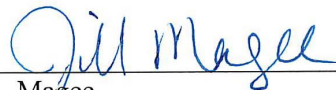
On September 25, 2020, I served the:

- **California Special Districts Association's (CSDA's) and California League of Cities' (League's) Late Comments on the Draft Proposed Decision and Parameters and Guidelines filed September 25, 2020**

Vote by Mail Ballots: Prepaid Postage, 19-TC-01
Elections Code Section 3010; Statutes 2018, Chapter 120 (AB 216)
County of Los Angeles, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 25, 2020 at Sacramento, California.



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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 9/23/20

Claim Number: 19-TC-01

Matter: Vote by Mail Ballots: Prepaid Postage

Claimant: County of Los Angeles

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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