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RECEIVED
February 19, 2019
**Commission on
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February 19, 2019

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Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
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Via Drop Box

**Re: Request for Comment and Legal Argument Relating to the
Reconsideration of the Request for Mandate Redetermination
on Remand. 12-MR-01-R, Pursuant to *County of San Diego, et
al. v. Commission on State Mandates, et al.* (2018) 6 Cal.5th 196**

Dear Ms. Halsey:

The County of Los Angeles joins the County of San Diego in requesting that the Commission modify the comment period in the above-referenced matter as set forth in your letter of February 8, 2019.

In 2013, the Department of Finance ("DOF") successfully argued before the Commission that due to the passage of Proposition 83, the State was no longer obligated to reimburse counties for costs associated with carrying out the Sexually Violent Predators Act ("SVPA"). The Commission adopted this argument and found in DOF's favor. The Supreme Court has rejected this argument and has ordered that the matter be remanded so that the Commission can consider whether the expanded SVPA definition in Proposition 83 transformed the test claim statutes as a whole into a voter-imposed mandate. Further, the Commission is to consider whether the expanded SVPA definition in Proposition 83 affected the number of referrals to local governments.


Since the DOF is the requesting agency seeking to cease the State's obligation to reimburse Counties, the burden should fall on the State to first respond to the questions posed by the Supreme Court. The County of Los Angeles requests that DOF be required to file a brief setting forth its legal and factual basis for its request for redetermination on March 11, 2019, the date

Heather Halsey
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requested by the Commission and allow the Counties 30 days in which to submit comments.

Very truly yours,

MARY C. WICKHAM
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By 
LUCIA GONZALEZ
Senior Deputy County Counsel
Government Services Division

LG:lal

cc: Craig Osaki
Los Angeles County Office of the Public Defender

cc: Ed Jewick
Los Angeles County Auditor-Controller

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.

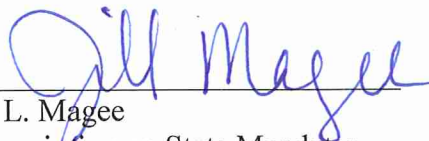
On February 22, 2019, I served the:

- **County of Los Angeles's Response to the Request for Comment filed February 19, 2019**
- **County of Orange's Response to the Request for Comment filed February 19, 2019**
- **County of Sacramento's Response to the Request for Comment filed February 19, 2019**
- **County of San Bernardino's Response to the Request for Comment filed February 19, 2019**
- **County of San Diego's Response to the Request for Comment filed February 15, 2019**

Reconsideration of the Request for Mandate Redetermination on Remand
Sexually Violent Predators (CSM-4509), 12-MR-01-R
Welfare and Institutions Code Sections 6601 through 6608
Statutes 1995, Chapter 762; Statutes 1995, Chapter 763; Statutes 1996, Chapter 4
Department of Finance, Requester

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 February 22, 2019 at Sacramento, California.



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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 2/22/19

Claim Number: CSM-4509 (12-MR-01-R)

Matter: Sexually Violent Predators

Requester: Department of Finance

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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