

County of Sacramento

September 26, 2014

Ms. Eraina Ortega, Chair  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

RE: Claimant's Comments - Top Two Candidates Open Primary Act (12-TC-02)

Dear Ms. Ortega,


The County of Sacramento respectfully submits comments on the Top Two Candidates Open Primary Act (Top Two) test claim. The Claimant's previous written submissions clearly show state mandated activities resulting from the cited statutes and executive orders.

Now, two years after the legislation became effective Sacramento County has incurred significant costs to meet the mandated activities. The activities and services included in the test claim meet all the tests required by mandate law. These activities and services are not a result of, or incidental to, SCA 4; rather, they result solely from legislative action. The activities and services exceed the established de minimis cost threshold.

The table below shows just some of the costs incurred to meet these requirements:

Activity/Item	June 2012 Added Cost	June 2014 Added Cost
Longer Official Ballots (due to legislature required instructions) <i>EC 13206; Stats 2012, c. 3, §38</i>	\$13,383	\$12,322
Longer Sample Ballot Pamphlets (facsimile ballot reflects longer official ballot and required Party Endorsement Page) <i>EC 13206; Stats 2012, c. 3, §38; EC 13302; Stats 2009, c. 1, §54; EC 13302, Stats 2012, c. 3 §43</i>	19,128	21,543
Precinct Officer Training and Polling Site Materials <i>EC 9083.5, Stats of 2009, c.1, §40; EC 9083.5, Stats of 2012, c.3, §30; EC 14105.1, Stats 2009, c. 1, §56; EC 13110, Stats 2009, c.1 §48</i>	1,367	1,059
Materials Creation and Proofing (ballot instructions, sample ballot pamphlet pages) <i>EC 13206; Stats 2012, c. 3, §38; EC 13302; Stats 2009, c. 1, §54; EC 13302, Stats 2012, c. 3 §43</i>	5,322	3,887
Total	\$39,200	\$38,811

I respectfully request the Commission approve the mandate for all filings presented by the Claimant.

Sincerely,   
Alice Jarboe, Claimant Representative  
Assistant Registrar of Voters  
Sacramento County

cc: Julie Valverde, Sacramento County Director of Finance