



ARNOLD SCHWARZENEGGER, GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

December 4, 2003

**RECEIVED**

DEC 04 2003

**COMMISSION ON  
STATE MANDATES**

Ms. Paula Higashi  
Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

Dear Ms. Higashi:

As requested in your letter of October 3, 2003, the Department of Finance has reviewed the test claim submitted by the County of Sacramento (claimant) asking the Commission to determine whether specified costs incurred under Chapter No. 920, Statutes of 1994; Chapter No. 724, Statutes of 1996; Chapter No. 918, Statutes of 2001; Chapter No. 922, Statutes of 2001; Chapter No. 664, Statutes of 2002; and, Elections Code Sections 3200 through 3206, are reimbursable state mandated costs (Claim No. CSM-03-TC-11, "Permanent Absent Voters II"). The claimant has identified the following duties, which it asserts create reimbursable state mandated costs:

- Printing absentee ballot applications.
- Receiving and processing absentee ballot applications from all voters.
- Verifying that applicants are valid voters and placing verified applicants on the permanent absent voter list.
- Sending a copy of the list of all voters who qualify as permanent absent voters to city or district elections officials.
- Preparing, printing, and sending sample ballots.
- Providing the permanent absent voter roll to city and district election officials.
- Making the roll available for public inspection.
- Maintaining the roll, including purging voters from the permanent absent voter list when the voter fails to vote in any statewide direct primary or general election, and reinstating a voter's name on the roll upon the voter's request.
- Paying for increased postage of mailing out ballots to a larger permanent absent voter roll.

As the result of our review, we have concluded that the statute may have resulted in a reimbursable state-mandated program. The cited statutes expanded the scope of the permanent absent voter program to include all voters. This expansion could represent a higher

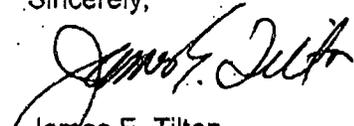
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level of service in a program previously determined by the Commission on State Mandates to be a reimbursable state-mandated local program. If the Commission reaches the same conclusion at its January 2003 hearing on the matter, the nature and extent of the specific activities required can be addressed in the parameters and guidelines, which will then have to be developed for the program.

As required by the Commission's regulations, we are including a "Proof of Service" indicating that the parties included on the mailing list which accompanied your October 3, 2003 letter have been provided with copies of this letter via either United States Mail or, in the case of other state agencies, Interagency Mail Service.

If you have any questions regarding this letter, please contact Keith Gmeinder, Principal Program Budget Analyst and state mandates claims coordinator at (916) 445-8913.

Sincerely,



James E. Tilton  
Program Budget Manager

Attachments

Attachment A

DECLARATION OF NONA MARTINEZ  
DEPARTMENT OF FINANCE  
CLAIM NO. CSM-03-11

1. I am currently employed by the State of California, Department of Finance (Finance), am familiar with the duties of Finance, and am authorized to make this declaration on behalf of Finance.
2. We concur that the Chapter No. 920, Statutes of 1994; Chapter No. 724, Statutes of 1996; Chapter No. 918, Statutes of 2001; Chapter No. 922, Statutes of 2001; Chapter No. 664, Statutes of 2002; and, Elections Code, Sections 3200 through 3206, relevant to this claim are accurately quoted in the test claim submitted by claimants and, therefore, we do not restate them in this declaration.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

Nona Martinez  
at Sacramento, CA

Dec 4, 2003  
Date

## PROOF OF SERVICE

Test Claim Name: Permanent Absent Voters II  
Test Claim Number: CSM-03-TC-11

I, the undersigned, declare as follows:

I am employed in the County of Sacramento, State of California, I am 18 years of age or older and not a party to the within entitled cause; my business address is 915 L Street, eighth Floor, Sacramento, CA 95814.

On December 4, 2003, I served the attached recommendation of the Department of Finance in said cause, by facsimile to the Commission on State Mandates and by placing a true copy thereof: (1) to claimants and non-state agencies enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at Sacramento, California; and (2) to state agencies in the normal pickup location at 915 L Street, eighth Floor, for Interagency Mail Service, addressed as follows:

A-16  
Ms. Paula Higashi, Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
Facsimile No. 445-0278

B-08  
Mr. Michael Havey  
State Controller's Office  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816

B-29  
Legislative Analyst's Office  
Attention Marianne O'Malley  
925 L Street, Suite 1000  
Sacramento, CA 95814

Mr. Paul Minney  
Spector, Middleton, Young & Minney, LLP  
7 Park Center Drive  
Sacramento, CA 95825

Mr. David Wellhouse  
David Wellhouse & Associates, Inc.  
9175 Kiefer Blvd, Suite 121  
Sacramento, CA 95826

Ms. Harmeet Barkschat  
Mandate Resource Services  
5325 Elkhorn Blvd. #307  
Sacramento, Ca 95842

Ms. Annette Chinn  
Cost Recovery Systems  
705-2 East Bidwell Street, #294  
Folsom, CA 95630

Mr. Leonard Kaye, Esq.  
County of Los Angeles  
Auditor-Controller's Office  
500 W. Temple Street, Room 603  
Los Angeles, CA 90012

Mr. Steve Smith  
Mandated Cost Systems, Inc.  
11130 Sun Center Drive, Suite 100  
Rancho Cordova, CA 95760

Ms. Cindy Sconce  
Centration, Inc.  
12150 Tributary Point Drive, Suite 140  
Gold River, CA 95760

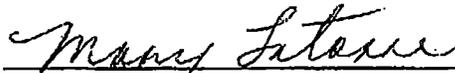
A-15  
Mr. Keith Gmeinder  
Department of Finance  
915 L Street, 8<sup>th</sup> Floor  
Sacramento, CA 95814

D-15  
Mr. John Mott-Smith  
Secretary of State's Office  
1500 11<sup>th</sup> Street  
Sacramento, CA 95814

Mr. Allan Burdick  
MAXIMUS  
4320 Auburn Blvd., Suite 2000  
Sacramento, CA 95841

Ms. Julie Valverde  
County of Sacramento  
711 G Street, Room 405  
Sacramento, CA 95814

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 December 4, 2003 at Sacramento, California.

  
\_\_\_\_\_  
Mary Latorre