



September 29, 2006

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 September 5, 2006, the Department of Finance has reviewed the proposed parameters and guidelines submitted by the County of Orange (Claimant), regarding Claim No. CSM 01-TC-13 "Modified Primary Election." Finance concurs with portions of the proposed parameters and guidelines but recommends changes as detailed below.

Delete the Following One-Time Activities

*Conducted meetings in order to obtain information from the Secretary of State as to which political parties allowed voters who have not designated their political party to vote in primary elections of given political parties.*

Finance notes that there are only eight registered political parties in California; and that to communicate with these parties, or the Secretary of State, as to the party's allowances is easily obtained by phone calls or web-site accessing. Additionally the California Association of Clerks and Elections Officials is an efficient and obvious conduit for relaying this information without holding a meeting.

*Redesign and republish the sample ballot and the absentee ballot.*

Finance notes that the sample ballot and absentee ballot for each election are completely different from the prior election. Finance points out that this is an ongoing part of an existing process. We also note that activities related to the absentee ballot should already be reimbursed through the "Absentee Ballot" mandate. The current reimbursement method for the "Absentee Ballot" claims consist of several formulas based on the number of ballots rather than specific activities.

*Informed and trained poll workers regarding the voting options for the decline to state voter.*

Finance notes language in the original test claim application the Claimant authored: "Generally, with every election, the extra help employees have never worked an election previously. These individuals need training." Training is already a part of any election and not unique to the requirements of the "Modified Primary Election" mandate.

Delete the Following Ongoing Activities

*Hand process absentee voter requests.*

Finance notes that a mandate program already exists to reimburse local agencies for activities related to absentee ballots. The "Absentee Ballot" mandate already provides reimbursement for costs associated with the increase in absentee ballot filings.

*Send to each voter a sample ballot containing the information regarding the options available to the "decline to state" voters.*

Finance again notes that every sample ballot is completely different from the prior election. Sending sample ballots to voters is an ongoing part of an existing legally required process.

*Inform and train poll workers regarding the options for the decline to state voter.*

Again, Finance notes language in the original test claim application the Claimant authored: "Generally, with every election, the extra help employees have never worked an election previously. These individuals need training." Training is already a part of any election and not unique to the requirements of the "Modified Primary Election" mandate.

Move from Ongoing Activity to One-Time Activity

*Notify every permanent voter who is registered as a "decline to state" voter that they have an option to vote a partisan ballot as long as that political party has agreed.*

Finance notes this is a one-time activity that can be satisfied using the same language the Secretary of State uses on its statewide registration cards; "Note: If you do not register with a party, you can still vote in general elections and nonpartisan (nonparty) primary elections."

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 September 5, 2006 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 Carla Castañeda, Principal Program Budget Analyst at (916) 445-3274.

Sincerely,



Thomas E. Dithridge  
Program Budget Manager

Attachments

Attachment A

DECLARATION OF CARLA CASTANEDA  
DEPARTMENT OF FINANCE  
CLAIM NO. CSM-01-TC-13

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 sections 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.

9/27/06

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at Sacramento, CA

*Carla Castañeda*

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Carla Castañeda

## PROOF OF SERVICE

Test Claim Name: Modified Election Primary  
Test Claim Number: 01-TC-13

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, 12th Floor, Sacramento, CA 95814.

On September 29, 2006, 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 nonstate 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, 12<sup>th</sup> 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-8  
State Controller's Office  
Division of Accounting & Reporting  
Attention: William Ashby  
3301 C Street, Room 500  
Sacramento, CA 95816

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

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

B-08  
Jim Spano  
State Controller's Office  
Division of Audits  
300 Capitol Mall Suite 518  
Sacramento, CA 95814

Mr. J. Bradley Burgess  
Public Resource Management Group  
1380 Lead Hill Boulevard, Suite 106  
Roseville, CA 95661

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

Mr. Neal Kelley  
Country of Orange – Registrar of Voters  
1300 South Grand Avenue, Building C  
Santa Ana, CA 92705

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

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

Mr. Jim Jagers  
P.O. Box 1993  
Carmichael, CA 95609

B-08  
Ms. Ginny Brummels  
State Controller's Office  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816

Mr. Glen Everroad  
City of Newport Beach  
3300 Newport Blvd.  
P.O. Box 1768  
Newport Beach, CA 92659-1768

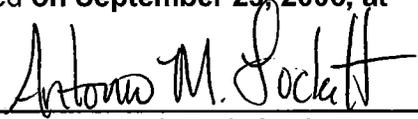
Ms. Bonnie Ter Keurst  
County of San Bernardino  
Office of the Auditor/Controller-Recorder  
222 West Hospitality Lane  
San Bernardino, CA 92415-0018

Ms. Beth Hunter  
Centration, Inc.  
8570 Utica Avenue, Suite 100  
Rancho Cucamonga, CA 91730

A-15  
Ms. Susan Geanacou  
Department of Finance  
915 L Street, Suite 1190  
Sacramento, CA 95814

A-15  
Ms. Carla Castaneda  
Department of Finance  
915 L Street, Suite 1190  
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 September 29, 2006, at** Sacramento, California.

  
\_\_\_\_\_  
Antonio Lockett

ICC: DITHRIDGE, LYNN, GEANACOU, FEREBEE, CASTANEDA, MCGINN, FILE

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