



August 2, 2013

Received
August 2, 2013
Commission on
State Mandates

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

**RE: Extension of Time to Respond to Commission Request for Comments on
New Test Claim (Top Two Candidates Open Primary Act, 12-TC-02)**

Dear Ms. Halsey:

The Department of Finance requests an extension of time to file comments to the Commission on State Mandates' Notice of Complete Test Claim Filing and Schedule for Comments dated July 3, 2013 on Top Two Candidates Open Primary Act (12-TC-02). Finance requests this extension in accordance with California Code of Regulations section 1183.01 (c) (1) (B) which states "A request filed by the claimant, a state agency or interested party may be approved by the executive director for good cause." California Code of Regulations section 1181.1 (h) defines "good cause" as "...(1) the number and the complexity of the issues raised; (2) a party is new to the case, or other counsel is needed..."

This test claim cites nineteen separate activities as potential reimbursable mandates under California law. Further, the claimant cites nearly thirty changes to law and state memoranda that impose the alleged mandates.

In addition to the number and complexity of the issues raised in this test claim, Finance has experienced recent staffing changes in its Mandates Section. Therefore, for these reasons, Finance respectfully requests an extension to filing the requested comments until August 30, 2013.

Pursuant to section 1181.2, subdivision (c)(1)(E) of the California Code of Regulations, "documents that are e-filed with the Commission need not be otherwise served on persons that have provided an e-mail address for the mailing list."

Ms. Heather Halsey
July 3, 2013
Page 2

If you have any questions regarding this letter, please contact Michael Byrne,
Principal Program Budget Analyst, at (916) 445-3274.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Tom Dyer', written over the word 'Sincerely,'.

For TOM DYER
Assistant Program Budget Manager

Enclosure

ICC: BYRNE, DYER, GEANACOU, SHELTON, WARD, FILE

I:\Mandates (other issues)\Pending\Top Two Candidates Open Primary Act\Top Two Candidates Extension Request.doc

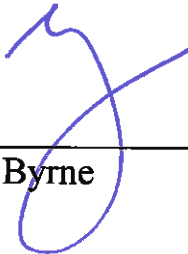
Enclosure A

DECLARATION OF MICHAEL BYRNE
DEPARTMENT OF FINANCE
CLAIM NO. 12-TC-02

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.

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.

8/2/2013
at Sacramento, California.



Michael Byrne

PROOF OF SERVICE

Test Claim Name: Top Two Candidates Open Primary Act

Test Claim Number: CSM—12-TC-02

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, Floor, Sacramento, CA 95814.

On 8/2/2013, 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, Floor, for Interagency Mail Service, addressed as follows:

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

SB 90 Service
C/O David M. Griffiths & Associates
Attention: Allan Burdick
4320 Auburn Boulevard, Suite 200
Sacramento, CA 95841

County of Los Angeles
Department of Auditor-Controller
Kenneth Hahn Hall of Administration
Attention: Leonard Kaye
500 West Temple Street, Suite 525
Los Angeles, CA 90012

Julie Valverde
Director of Finance
700 H Street, Room 3650
Sacramento, CA 95814

Alice Jarboe
Assistant Registrar of Voters
Sacramento County
7000 65th Street, Suite A
Sacramento, CA 95823