



**JOHN CHIANG**  
**California State Controller**  
Division of Accounting and Reporting

**RECEIVED**  
August 20, 2014  
**Commission on  
State Mandates**

August 20, 2014

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

Re: Adopted Decision and Draft Expedited Parameters and Guidelines  
Post Election Manual Tally (PEMT), 10-TC-08  
Former California Code of Regulations, Title 2, Division 7, Chapter 3, Sections 20120,  
20121, 20122, 20123, 20124, 20125, 20126, 20127  
County of Santa Barbara, Claimant

Dear Ms. Halsey:

We have reviewed the proposed draft expedited parameters and guidelines for the above-entitled matter submitted by the Commission staff. Below are our comments and recommendations. Proposed additions are underlined and deletions are indicated with strikethrough as follows:

**Page 1:**

**III. PERIOD OF REIMBURSEMENT**

Government Code section 17557(e) states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The County of Santa Barbara filed the test claim on March 28, ~~2008~~ 2011, establishing eligibility for reimbursement for the ~~2006-2007~~, 2009-2010 fiscal year...

**COMMENT:** Please change the year the test claim was filed from 2008 to 2011. Pages 1 and 5 of the Statement of Decision indicate that the test claim filed date is March 28, 2011. It follows, that the eligibility established would be for the 2009-2010 fiscal year, instead of 2006-2007.

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**IV. REIMBURSABLE ACTIVITIES**

2. a) In any contest voted upon in more than one jurisdiction, the elections official in each jurisdiction in which votes were cast in the contest shall determine whether a 10 percent manual tally is required by former California Code of Regulations, title 2, section ~~20121(b)~~, 20122(a) ...

**Page 3:**

2. b) For a legislative or statewide contest, the elections official shall determine whether a ten percent manual tally is required by former California Code of Regulations, title 2, section ~~20121(b)~~ 20122(b)...

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8. ...and details of any actions taken that are contrary to former California Code of Regulations...

**COMMENT:** California Code of Regulations, Title 2, referring to Chapter 3. Post Election Manual Tallies, section 20120 through 20128 had been repealed by operation of law. By adding the word “former” will indicate that the section no longer exists. Also, please change the sections in 2. a) and 2. b) to be consistent with the footnotes 2 and 3, respectively.

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**IX. REMEDIES BEFORE THE COMMISSION**

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557(d), and California Code of Regulations, title 2, section ~~1183.17~~ 1183.2.

**COMMENT:** Please replace 1183.17 with 1183.2 for consistency with other existing parameters and guidelines.

Should you have any questions regarding the above, please contact Nick Kondoleon at (916) 322-8733 or email [NKondoleon@sco.ca.gov](mailto:NKondoleon@sco.ca.gov).

Sincerely,



JAY LAL, Manager  
Local Reimbursements Section

**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 August 22, 2014, I served the:

**SCO Comments**

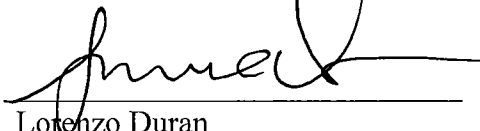
*Post Election Manual Tally (PEMT)*, 10-TC-08

Former California Code of Regulations, Title 2, Division 7, Chapter 3, Sections 20120, 20121, 20122, 20123, 20124, 20125, 20126 and 20127; Register 2008, No.43

County of Santa Barbara, Claimant

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 August 22, 2014 at Sacramento, California.



Lorenzo Duran  
Commission on State Mandates  
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(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 7/30/14

**Claim Number:** 10-TC-08

**Matter:** Post Election Manual Tally (PEMT)

**Claimant:** County of Santa Barbara

### 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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