

ITEM 11
TEST CLAIM DISMISSAL
PROPOSED STATEMENT OF DECISION

Secretary of State's September 18, 2001 Order
As Amended on December 17, 2001, and May 23, 2002

De-Certification of Punch-Card Voting Systems
(02-TC-20)

County of Los Angeles, Claimant

EXECUTIVE SUMMARY

On October 31, 2006, the County of Los Angeles requested withdrawal of the test claim filing on *De-Certification of Punch-Card Voting Systems* (02-TC-20).¹ Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was provided pursuant to California Code of Regulations, title 2, section 1183.08.²

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before January 3, 2007.³

Therefore, the sole issue before the Commission on State Mandates ("Commission") is whether the Commission adopts the Proposed Statement of Decision, dismissing the above-named test claim.⁴

Recommendation

Staff recommends that the Commission adopt the Proposed Statement of Decision, dismissing the entire *De-Certification of Punch-Card Voting Systems* test claim.

¹ Claimant's withdrawal request letter (Attachment 1.)

² Commission's notice of withdrawal and dismissal hearing (Attachment 2.)

³ The deadline was automatically extended by one day due to the lack of regular mail service on the January 2, 2007 National Day of Mourning.

⁴ California Code of Regulations, test claim, section 1188.1, subdivision (g).

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM:

Secretary of State's September 18, 2001 Order
As Amended on December 17, 2001, and
May 23, 2002;

Filed on May 14, 2003,

Withdrawn on October 31, 2006,

By County of Los Angeles, Claimant.

Case No.: 02-TC-20

De-Certification of Punch-Card Voting Systems

PROPOSED STATEMENT OF DECISION
PURSUANT TO GOVERNMENT CODE
SECTION 17500 ET SEQ.; CALIFORNIA
CODE OF REGULATIONS, TITLE 2,
DIVISION 2, CHAPTER 2.5, ARTICLE 7

(Proposed for Adoption on January 25, 2007)

PROPOSED STATEMENT OF DECISION

On October 31, 2006, the County of Los Angeles requested withdrawal of the test claim filing on *De-Certification of Punch-Card Voting Systems* (02-TC-20). Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was provided pursuant to California Code of Regulations, title 2, section 1183.08.

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before January 3, 2007.⁵

CONCLUSION

IT IS HEREBY ORDERED that the test claim filing, *De-Certification of Punch-Card Voting Systems* (02-TC-20), is dismissed, without prejudice, pursuant to California Code of Regulations, title 2, section 1183.08.

Any claimant may file a new test claim on the above-referenced test claim legislation. However, any such claim shall be subject to a new filing date and to the statute of limitations pursuant to Government Code section 17551.

⁵ The deadline was automatically extended by one day due to the lack of regular mail service on the January 2, 2007 National Day of Mourning.