

**ITEM 13**  
**EXECUTIVE DIRECTOR'S REPORT**  
**Workload, Budget, and**  
**Upcoming Tentative Agendas**

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**I. WORKLOAD: Pending Caseload**

| Type of Action   | June 11, 2008 |
|--|---------------|
| Test Claims <sup>1</sup> to be Heard and Determined  | 70            |
| Test Claims to be Reconsidered   | 0             |
| Test Claims to be Reconsidered Based on Court Action   | 0             |
| Test Claims to be Reconsidered, as Directed by the Legislature                                       | 0             |
| Incorrect Reduction Claims to be Heard and Determined  | 135           |
| Incorrect Reduction Claims to be Reconsidered Based on Court Action                                  | 0             |
| Proposed Parameters and Guidelines   | 18            |
| Proposed Amendments to Parameters and Guidelines   | 11            |
| Parameters and Guidelines to be Amended or Set Aside, as Directed by the Legislature or Court Action | 0             |
| Reasonable Reimbursement Methodologies Jointly Proposed by Department of Finance and Claimants       | 1             |
| Statewide Cost Estimates to be Adopted   | 9             |
| New Test Claim Filings to be Reviewed  | 0             |
| New Incorrect Reduction Claim Filings to be Reviewed   | 0             |
| Appeals of Executive Director's Decision   | 1             |
| Regulatory Actions Pending   | 0             |

**II. REGULATIONS**

On April 24, 2008, The Commission's regulations implementing AB 1222 were filed with the Secretary of State, and are now in print. Copies of the new regulations will be provided to members and to the public at the June meeting.

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<sup>1</sup> This includes 48 test claims filed by school districts and 22 filed by local agencies.

### III. STATE BUDGET

#### A. Status of Budget Hearings

Both houses approved the Commission's budget for the 2008-09 fiscal year, including a proposed \$168,000 reduction, and a \$75 million General Fund reduction for mandate reimbursement because local governments' authority to file estimated reimbursement claims has been repealed. The following two mandates issues will be heard in conference committee:

1. Budget trailer bill language to reconsider the *Sexually Violent Predator* test claim – after final decision in CSBA litigation.
2. Senate approved annual payment of \$75 million to cities and counties (prior year mandate debt). Assembly deleted this provision and instead proposed that lottery funds be used to retire the prior mandate debt (\$550 million in 2008-09 and \$550 million in 2009-10.)

#### B. State Controller's Office 2008 Deficiency Report

On April 29, 2008, the State Controller's Office reported in its annual Deficiency Report that there is an appropriation deficiency in mandates funding of \$1,877,415,465 (\$1,110,720,913 for local agencies; \$682,924,190 for school districts; and, \$83,770,362 for community colleges). The State Controller's Office also reported that the amount needed to fully fund all funded and unfunded mandate claims is \$2,642,531,533.

### IV. TENTATIVE AGENDAS

*The tentative agendas are subject to change based on Commission staff's litigation workload, requests for extensions of time to file comments on draft staff analyses, hearing postponements, pre-hearing conferences, and the complexity of the statutes and executive orders that are pled.*

#### Friday, August 1, 2008

##### A. Test Claims (11)

1. *Expulsions II and Suspensions II*, 96-358-03, 03A-03B, 04, 04A-04B, 98-TC-22, 23, 01-TC-17, and 18 consolidated with *Education Services Plan*, 97-TC-09  
San Juan Unified School District, Claimant
2. *Disabled Student Programs and Services*, 02-TC-22  
West Kern Community College District<sup>2</sup>
3. *Prevailing Wage Rates*, 01-TC-28  
Clovis Unified School District<sup>3</sup>

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<sup>2</sup> Item postponed from June hearing at request of claimant.

<sup>3</sup> Item postponed from June hearing at request of Department of Industrial Relations.

- B. Proposed Parameters and Guidelines (5)
  - 1. *Fifteen-Day Close of Voter Registration*, 01-TC-15  
County of Orange, Claimant
  - 2. *Modified Primary Election*, 01-TC-13  
County of Orange, Claimant
  - 3. *California Fire Incident Reporting Systems (CFIRS)*, CSM-4419  
City of Newport Beach, Claimant
  - 4. *In-Home Supportive Services II*, 00-TC-23  
County of San Bernardino, Claimant
  - 5. *Local Government Employment Relations*, 01-TC-30  
County of Sacramento, Claimant
- C. Statewide Cost Estimates (3)
  - 1. *Domestic Violence Arrests and Victims Assistance*, 98-TC-14  
County of Los Angeles, Claimant
  - 2. *Pupil Expulsion Hearing Costs, (San Diego Unified School District v. Commission on State Mandates, et al., 2004 – 33Cal.4<sup>th</sup> 859)*
  - 3. *Missing Children Reports*, 01-TC-09  
San Jose Unified School District, Claimant

**Friday, September 26, 2008**

- A. Test Claims (4)
  - 1. *Notices to Students*, 02-TC-25 consolidated with *Minimum Conditions of State Aid*, 02-TC-31, Los Rios Community College District and Santa Monica Community College District, Claimants
  - 2. *Tuition Fee Waivers*, 02-TC-21  
Contra Costa Community College District, Claimant
  - 3. *Cal Grants*, 02-TC-28  
Long Beach Community College District, Claimant
- B. Proposed Parameters and Guidelines (4)
  - 1. *Interagency Child Abuse and Neglect {ICAN} Investigation Reports*, 00-TC-22, County of Los Angeles, Claimant
  - 2. *Domestic Violence Background Checks*, 01-TC-29  
County of Alameda, Claimant
  - 3. *Local Agency Formation Commissions (LAFCO)*, 02-TC-23  
Sacramento Metropolitan Fire District, Claimant
  - 4. *Permanent Absent Voter II*, 03-TC-11  
County of Sacramento, Claimant

- C. Proposed Amendments to Parameters and Guidelines (2)
  - 1. *Pesticide Use Reports*, 06-PGA-02  
Department of Pesticide Regulations, Requestor
  - 2. *Graduation Requirements*, 4181A, 05-PGA-05, 06-PGA-04, 06-PGA-05  
San Diego Unified School District, Castro Valley, Clovis, and San Jose Unified School Districts; Fullerton Joint Union High School District, and Grossmont and Sweetwater Union High School Districts, Mountain View-Los Altos Hill High School District, and State Controller's Office and Requestors
- D. Statewide Cost Estimates (4)
  - 1. *Post Conviction: DNA Court Proceedings*, 00-TC-21  
01-TC-08, County of Los Angeles, Claimant
  - 2. *Charter Schools III*, 99-TC-14  
Western Placer Unified School District and Fenton Avenue Charter School, Claimants
  - 3. *Pupil Safety Notices*, 02-TC-13  
San Juan Unified School District, Claimant
  - 4. *National Norm-Referenced Achievement Tests (Formerly STAR)*  
04-RL-9723-01