

ITEM 14
EXECUTIVE DIRECTOR’S REPORT
Workload, Budget, and Tentative Agendas for Next Hearings

I. WORKLOAD: Pending Caseload

A. Workload Completed in 2006-2007

Type of Action	Number Completed
Test Claims	30
Reconsiderations	1
Parameters and Guidelines	5
Parameters and Guidelines Amendments	19
Statewide Cost Estimates	7
Rulemaking Packages	2

B. Pending Caseload

Type of Action	July 13, 2007	May 14, 2007	July 14, 2006
Test Claims ¹ to be Heard and Determined	70 ²	76	100
Test Claims to be Reconsidered	1	0	0
Test Claims to be Reconsidered Based on Court Action	0	0	0
Test Claims to be Reconsidered, as Directed by the Legislature	2	2	1
Incorrect Reduction Claims to be Heard and Determined	118	117	117
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	6
Proposed Parameters and Guidelines, and Amendments	29	29	28
Parameters and Guidelines to be Amended or Set Aside, as Directed by the Legislature or Court Action	0	0 ³	1
Statewide Cost Estimates to be Adopted	5	7	7
New Test Claim Filings to be Reviewed	0	0	0
New Incorrect Reduction Claim Filings to be Reviewed	0	0	0
Appeals of Executive Director’s Decision	0	0	0
Regulatory Actions Pending	1	1	1

¹ This includes 45 test claims filed by school districts and 25 filed by local agencies.

² This may increase by 4 if the writ is finalized in the *County of Los Angeles et al v. Commission on State Mandates* case.

³ *Id.*

II. PROPOSED 2007-2008 BUDGET – Trailer Bill Language

The Budget Conference Committee approved the proposed trailer bill language which was the only conference issue related to the Commission's budget and mandate reimbursements. The proposed trailer bill language would delete all references to the local government claims bill (Gov. Code, §§ 17561, 17567, 17612) and the requirement for the Commission to report mandate deficiencies to the Legislature (Gov. Code, §17567.). According to the Legislative Analyst's Office, the trailer bill would modify the mandate billing cycle to:

- Shift to one month later local governments' due date for submitting mandate reimbursement claims (from January 15 to February 15).
- Maintain the 10 percent penalty for reimbursement claims submitted after their deadlines, but increases the cap on this penalty (from \$1,000 to \$10,000).
- Direct the State Controller's Office to (SCO) to report annually to the Legislature and administration by April 30 on the cost to pay reimbursement claims submitted by local governments before April 1. (Claims filed on or after April 1 will be included in the following year's report.)
- Shift to five months later (from March 15 to August 15) the final due date for state payment of mandate bills. After this date, the state is charged interest (at the Pooled Money Investment Account Rate) on any claims reported by SCO.

III. TENTATIVE AGENDAS FOR SEPTEMBER AND DECEMBER HEARINGS

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

September 27, 2007

A. Test Claims (17)

1. *Local Agency Formation Commissions* 02-TC-23
Sacramento Metropolitan Fire District, Claimant
2. *Interagency Child Abuse & Neglect Reporting*, 00-TC-22
County of Los Angeles, Claimant
3. *Hepatitis and Blood-Borne Illnesses Presumption for Law Enforcement and Firefighters*, 01-TC-20
CSAC-EIA and County of Tehama, Claimants
4. *Tuberculosis Presumption for Firefighters, Jail Guards and Correctional Officers*, 01-TC-23
CSAC-EIA and County of Tehama, Claimants
5. *Meningitis Presumption for Law Enforcement and Firefighters*, 01-TC-24
CSAC-EIA and County of Tehama, Claimants
6. *Hepatitis Presumption (K-14)*, 02-TC-17
Santa Monica Community College District, Claimant
7. *Crime Victims, Domestic Violence Incident Reports*, 02-TC-18
County of Los Angeles, Claimant
8. *Reporting Improper Governmental Activities*, 02-TC-24
San Juan Unified School District and Santa Monica Community College District, Claimants

9. *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
- B. Reconsideration of Prior Decisions Directed by the Legislature (2)
 1. *Peace Officers' Cancer Presumption*, CSM 4416
 2. *Firefighters' Cancer Presumption*, CSM 4081
 - C. Parameters and Guidelines (4)
 1. *Mentally Disordered Offenders: Treatment as a Condition of Parole*, 00-TC-28, 05-TC-06, County of San Bernardino, Claimant
 2. *Fire Safety Inspections of Care Facilities*, 01-TC-16
City of San Jose, Claimant
 3. *Firearm Hearings for Discharged Inpatients*, 99-TC-11
County of Los Angeles, Claimant
 4. *Peace Officers Procedural Bill of Rights (POBOR)*, 06-PGA-03, 06-PGA-06
Department of Finance and County of Los Angeles, Requestors
 - D. Statewide Cost Estimates (2)
 1. *Enrollment Fee Collection*, 99-TC-13
Los Rios Community College District, Claimant
and *Enrollment Fee Waivers*, 00-TC-15
Glendale Community College District, Claimant
 2. *Domestic Violence Arrests and Victims Assistance*, 98-TC-14
County of Los Angeles, Claimant

December 6, 2007

- A. Test Claims (6)
 1. *Child Abuse and Neglect Reporting*, 01-TC-21
San Bernardino Community College District, Claimant
 2. *Academic Performance Index*, 01-TC-22, San Juan Unified School District,
Claimant
 3. *Prevailing Wage Rates*, 01-TC-28
Clovis Unified School District, Claimant
 4. *Prevailing Wage Rates*, 03-TC-13
City of Newport Beach, Claimant
 5. *California Public Records Act Disclosure*, 02-TC-10, County of Los Angeles,
Claimant, and *California Public Records Act II*, 02-TC-51, Riverside Unified
School District, Claimant, 02-TC-51
- B. Parameters and Guidelines and Amendments (8)
 1. *Racial Profiling: Law Enforcement Training*, 01-TC-01
County of Sacramento, Claimant
 2. *Pupil Safety Notices*, 02-TC-13, San Jose Unified School District, Claimant
 3. *Local Government Employment Relations*, 01-TC-30, City of Sacramento and
County of Sacramento, Claimants

4. *Graduation Requirements, 4181A*
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, Requestors
 5. *Graduation Requirements, 05-PGA-05*
Mountain View-Los Altos Hill High School District, Requestor
 6. *Graduation Requirements, 06-PGA-04*
State Controller's Office, Requestor
 7. *Graduation Requirements, 06-PGA-05*
Castro Valley, Clovis, and San Jose Unified School Districts; Fullerton Joint Union High School District, and Grossmont and Sweetwater Union High School Districts, Requestors
 8. *California Fire Incident Reporting Systems (CFIRS) CSM-4419*,
City of Newport Beach, Claimant
- C. Statewide Cost Estimates (2)
1. *Handicapped and Disabled Students II, 02-TC-40; 02-TC-49*
Counties of Los Angeles and Stanislaus, Claimants
 2. *Domestic Violence Arrests and Victims Assistance, 98-TC-14*
County of Los Angeles, Claimant