

ITEM 21
EXECUTIVE DIRECTOR'S REPORT
Workload, Budget, New Practices, 2010 Meeting Calendar, and Next Meeting

I. WORKLOAD

A. PENDING COMMISSION CASELOAD (Info)

Type of Action	May 13, 2010
Test Claims ¹ to be Heard and Determined	46
Test Claims to be Reconsidered	0
Test Claims to be Reconsidered or Reinstated Based on Court Action	0
Incorrect Reduction Claims to be Heard and Determined	157
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0
Reasonable Reimbursement Methodologies/Statewide Estimate of Costs	2
Proposed Parameters and Guidelines	19
Proposed Parameters and Guidelines Amendments	12 ²
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0
Statewide Cost Estimates to be Adopted	6
Revised Statewide Cost Estimates to be Adopted Following Amendment to Parameters and Guidelines Based on Court Action	1
New Test Claim Filings to be Reviewed	0
New Incorrect Reduction Claim Filings to be Reviewed	0
Appeals of Executive Director's Decision	0
Regulatory Actions Pending	1

¹ This includes 31 test claims filed by school districts and 15 filed by local agencies.

² Five of the proposed amendments are requests from the State Controller's Office to update boilerplate language.

B. PENDING REQUESTS TO JOINTLY DEVELOP LEGISLATIVELY DETERMINED MANDATES

Type of Action	
Notice of Intent to Pursue Legislatively Determined Mandates	3

C. APPLICATIONS FOR FINDINGS OF SIGNIFICANT FINANCIAL DISTRESS

Type of Action	
Applications for Findings of Significant Financial Distress Pending	0

No applications have been filed.

II. BUDGET

On May 14, 2010, the Governor and the Director of Finance issued the May Revision to the proposed 2010-2011 budget. There are no significant changes in the Commission on State Mandates’ operating budget. However, there is a \$475,000 revision for the cost of funding the statewide cost estimate for the *In-Home Support Services II* mandate. The Department of Finance also requested that the following mandates be added to the suspension list because “[s]uspending these mandates would relieve local agencies from the requirement of implementing or giving effect to the mandate during fiscal year 2010-11. This is consistent with the Administration’s policy to suspend most mandates not related to law enforcement, property tax, and elections.”

Mandate Reimbursement Process I and II

Open Meetings Act/Brown Act Reform

*Handicapped and Disabled Students I & II and
Seriously Emotional Disabled Pupils (AB3632)*

A. Senate Budget and Fiscal Review – Subcommittee Number 4

The Commission on State Mandates budget was heard on April 29, 2010. There were no issues with the Commission’s operating budget. The Legislative Analyst’s Office (LAO) recommends that the Legislature approve trailer bill language to make the IHSS advisory committees optional and also that the Legislature adopts the Administration’s proposal to fund the prior mandate claims rather than suspending or repealing. This item is still open pending coordination with Subcommittee Number 1.

The Subcommittee adopted the LAO recommendation to reject suspension of the *Local Recreational Area Background Checks* and adopt local fee authority. No action was taken on the *Crime Victim Rights* mandate. There was also a brief report on the working group’s proposed language on mandate redetermination. This language was included in the agenda for this hearing.

The Subcommittee will meet on May 19, 2010, to take up May Revision issues (*IHSS II, Open Meeting Act/Brown Act Reform, Mandate Reimbursement Process*) and the Mandate Redetermination Process trailer bill language.

B. Assembly Budget - Subcommittee Number 4

The Commission's budget was heard on May 4, 2010. There were no issues with the Commission's operating budget. The Subcommittee adopted the LAO recommendation that the Legislature reject suspension of the *Local Recreational Area Background Checks* mandate, but achieve the longer term savings by amending the statute to specify local agencies may offset their screening costs by charging applicants fees. If fees are allowable, and the Commission "redetermines" the mandate, then the state will no longer be required to reimburse costs. The Subcommittee voted 4-0 to approve the LAO recommendation. The working group's proposed language on mandate redetermination was included in the agenda for this hearing. Staff was directed to continue working on the proposed language.

III. NEW PRACTICES

The Bureau of State Audit's October 15, 2009 Report recommends that Commission staff prioritize its workload and seek efficiencies in the process to the extent possible. This section of the Executive Director's Report reports to the Commission members and the public on new practices staff is implementing to make the mandates process more efficient. Since the March 26, 2010 Commission meeting and hearing, the following has occurred:

- Completed review of each section of our regulations to expand processes for electronic filing of documents in order to reduce fiscal and environmental costs.
- Reviewing and revising process of routing documents for review prior to release in order to streamline review process.

IV. APPROVAL OF 2010 MEETING CALENDAR (action)

The Commission is required to meet at least once every two months. The time and place of meetings may be set by resolution of the commission, by written petition of a majority of the members, or by written call of the chairperson. The chairperson may, for good cause, change the starting time or place, reschedule, or cancel any meeting. (Gov. Code, § 17526.)

The League of Cities holds its annual meeting in mid-September, the California State Association of Counties holds its annual meeting in mid-November; and the CSBA holds its annual meeting in early December. At the last Commission meeting, there was discussion about moving the Commission bi-monthly meetings/hearings to Thursdays. Members agreed to review their calendars. Staff recommends that after discussion and public comment, the Commission approve the remaining 2010 meeting dates:

Proposed Thursday Dates	OR	Proposed Friday Dates
Thursday, June 24, 2010 (tentative)		Friday, June 25, 2010 (tentative)
Thursday, July 29, 2010		Friday, July 30, 2010
Thursday, September 23, 2010		Friday, September 24, 2010
Thursday, October 28, 2010 (tentative)		Friday, October 29, 2010 (tentative)
Thursday, December 2, 2010		Friday, December 3, 2010

V. NEXT MEETINGS AND TENTATIVE AGENDAS

The tentative agendas are subject to change based on Commission staff's actual authorized work days, 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.

July and September 2010

A. Test Claims (5)

1. *Minimum Conditions for State Aid and Notice to Students*, 02-TC-25 and 02-TC-31
Los Rios, Santa Monica and West Kern Community College Districts, Claimants
2. *Employment of College Faculty and Instructors*, 02-TC-27
Santa Monica CCD
3. *California Environmental Quality Act (CEQA)*, 03-TC-17
Clovis Unified School District
4. *School Bus Safety Bus III*, 03-TC-01
San Diego Unified School District, Claimant

B. Incorrect Reduction Claims (14)

1. *School Crimes Reporting II* (07-9703-I-01, 07-9703-I-02, 07-9703-I-03, 07-9703-I-04, 07-9703-I-05, 07-9703-I-06, 07-9703-I-07, 07-9703-I-08)
Bonita Unified School District, Fullerton Joint Union High School District, San Ysidro School District, Castro Valley Unified School District, Encinitas Union Elementary School District, Carlsbad Unified School District, San Diego County Office of Education, Rosedale Union Elementary School District, Claimants
2. *School Bus Safety II* (07-4433-9722-I-01, 07-4433-9722-I-02, 07-4433-9722-I-03, 07-4433-9722-I-04, 07-4433-9722-I-05)
San Jose Unified School District, Fullerton Joint Union High School District, Sweetwater Union High School District, San Ysidro School District, and Clovis Unified School District, Claimants
3. *Investment Reports* (02-9635802-I-47), City of Tustin, Claimant

B. Parameters and Guidelines (7)

1. *Expulsions II* (96-358-03, 03A, 03B, 98-TC-22., 01-TC-18), *Pupil Suspensions II* (98-TC-23) and *Educational Services Plan* (97-TC-09), San Juan Unified School District, Claimant
2. *Crime Statistic Reports for Department of Justice and Amendment* 02-TC-04, 02-TC-11, 07-TC-10
City of Newport Beach and County of Sacramento, Claimants
3. *Comprehensive School Safety Plans II, and Amendment*, 02-TC-33 07-TC-11
Bakersfield City School District, Sweetwater Union High School District, Claimants
4. *Student Records*, 02-TC-34
Riverside Unified School District & Palomar Community College District, Claimants
5. *Modified Primary Election*, 01-TC-13
County of Orange, Claimant
6. *Municipal Stormwater and Urban Runoff*, 03-TC-04, 03-TC-20, 03-TC-21

County of Los Angeles, Cities of Artesia, Azusa, Beverly Hills, Carson, Commerce Norwalk, Rancho Palos Verdes, Westlake Village, Vernon, Bellflower, Covina, Downey, Monterey Park, and Signal Hill,
Co-claimants

7. *Interagency Child Abuse and Neglect (ICAN) Investigation Reports*, 00-TC-22
County of Los Angeles, Claimant

C. Requests to Amend Parameters and Guidelines (2)

1. *Habitual Truants*, 01-PGA-06
Clovis Unified School District, Requestor
2. *Enrollment Fee Collection and Waivers*, 08-PGA-02
Los Rios, Cerritos, Citrus, El Camino, Gavilan, Kern, Long Beach, Mt. San Jacinto, Palomar, Pasadena Area, San Bernardino, Santa Monica, State Center, Sierra Joint, Victor Valley, West Kern, and Yosemite Community College Districts, Requestors

D. Statewide Cost Estimates (5)

1. *Pupil Discipline Records, and Notification to Teachers: Pupils Subject to Expulsion/Suspension II*, 00-TC 10 and 00-TC-11
Sweetwater Union High School District, Carpinteria Unified School District and Grant Joint Union High School District
2. *Local Government Employment Relations*, 01-TC-30
City of Sacramento and County of Sacramento, Claimants
3. *Integrated Waste Management (Post-Litigation)*, 05-PGA-16 (00-TC-07)
Santa Monica and Lake Tahoe Community College Districts,
Co-claimants
4. *Tuition Fee Waivers*, 02-TC-21
Contra Costa Community College District, Claimant
5. *Local Agency Formation Commissions*, 02-TC-23
Sacramento Metropolitan Fire District

E. Rulemaking Hearing, if Requested (July 2010)

F. Adoption of Rulemaking Package (September 2010)