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Commission on
State Mandates

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Ms. Heather Halsey
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Commission on State Mandates
960 9th Street
Sacramento, CA 95814

Re: Mandate Redetermination Request 12-MR-01
Sexually Violent Predators (CSM-4509)

Dear Ms. Halsey:

Our office represents the County of San Diego and the offices, departments, and agencies that claim reimbursement for the above-referenced mandate through the County. Pursuant to 2 C.C.R. § 1183.01(c)(1)(B) we hereby request a 60 day extension to respond to the Department of Finance's ("DOF") Request for Redetermination, which was filed with the Commission on January 15, 2013.

The issues raised by the DOF's request present complicated issues of fact and law. Comments in response to the DOF's request need to be carefully considered and briefed. Good cause to grant this request as defined in 2 C.C.R. § 1181.1(h) exists for the following reasons:

There is not sufficient time before the current deadline of February 25, 2013, to adequately research and address the issues presented. I am the attorney assigned to this matter and, due to other pending matters, I do not have sufficient time to adequately prepare a complete response to the DOF's request prior to the February 25th deadline.

The claims for reimbursement filed by the County for the FY 2007-08 through FY 2010-11 have averaged more than \$745,000 a year. For FY 2010-11 the statewide claims for reimbursement exceeded \$20 million. If the DOF's request is granted and the

ability to recoup the costs incurred for this mandate, it will have a significant financial impact not only on the County of San Diego but on counties throughout the state. This makes it even more critical that all interested parties have an opportunity to fully present their arguments to the Commission.

Finally, we have not had the opportunity to brief our Board of Supervisors on the issues presented by the DOF's request, and will not have that opportunity before the February 25th deadline for filing comments. It is important that our Board be aware of the DOF's request and that we receive direction and authority on how to proceed with this matter.

For these reasons, we believe that good cause exists for the Commission to extend the deadline for filing comments with the Commission to and including April 26, 2013.

Very truly yours,

THOMAS E. MONTGOMERY, County Counsel

By 

TIMOTHY M. BARRY, Senior Deputy

TMB:nb

cc: Laura Arnold, Esq.
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13-90066