

COMMISSION ON STATE MANDATES

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October 28, 2014

Ms. Sigrid Asmundson
Best Best & Krieger LLP
500 Capitol Mall, Suite 1700
Sacramento, CA 95814

Ms. Carrie Bray
Los Rios Community College District
1919 Spanos Court
Sacramento, CA 95825

And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: **Approval of Request for Extension of Time and Notice of Tentative Hearing**
Health Fee Elimination, 08-4206-I-18
Education Code Section 76355
Statutes 1984, 2nd E.S.; Chapter 1; Statutes 1987, Chapter 1118;
Fiscal Years: 2002-2003, 2003-2004 and 2004-2005
Los Rios Community College District, Claimant

Dear Ms. Asmundson and Ms. Bray:

On October 24, 2014, the Commission on State Mandates (Commission) received your request for an extension of time to rebut the State Controller's Office comments on the above-named incorrect reduction claim (IRC). Your request specified an extension of 90 days, which would require postponement of the hearing on the matter from January 23, 2015 to May 29, 2015. This delay is too long, particularly for a relatively simple matter such as this IRC. Government Code 17553(d) provides that "the failure of the Controller to file a rebuttal to an incorrect reduction claim shall not serve to delay the consideration of the claim by the commission." Moreover, the statutory authority to postpone a claim is limited to a postponement to the next scheduled hearing. (Gov. Code 17553(a)(3).)

Thus, to allow claimant time to rebut whilst limiting the postponement to the next regularly scheduled hearing, which is on March 27, 2015, your request is being granted for good cause, pursuant to section 1187.9 of the Commission regulations, for an extension to December 12, 2014. There will also be a three-week time period to comment on the draft proposed decision once it is issued.

Therefore, rebuttal comments are now due on or before **December 12, 2014**. This matter is now tentatively set for hearing on **March 27, 2015**, at 10:00 a.m. in Room 447 of the State Capitol, Sacramento, California.

Please contact Heidi Palchik at (916) 323-3562 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey".

Heather Halsey
Executive Director

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Solano and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On October 28, 2014, I served the:

**Claimant Extension Request; Approval of Extension;
and Notice of Tentative Hearing**

Health Fee Elimination, 08-4206-I-18

Education Code Section 76355

Statutes 1984, 2nd E.S.; Chapter 1; Statutes 1987, Chapter 1118;

Fiscal Years: 2002-2003, 2003-2004 and 2004-2005

Los Rios Community College District, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 28, 2014 at Sacramento, California.



Heidi J. Palchik
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 10/21/14

Claim Number: 08-4206-I-18

Matter: Health Fee Elimination

Claimant: Los Rios Community College District

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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