

BOARD OF DIRECTORS MEETING (OPEN)

AGENDA ITEM 3

ATTACHMENT 3-I

FINDING THAT 10-DAY NOTICE REQUIREMENT
WOULD CAUSE SUBSTANTIAL HARDSHIP

PRESENTED BY: Jeanne Cain

August 25, 2009

DRAFT

**RESOLUTION AND FINDING APPROVING SPECIAL MEETING –
AUGUST 25**

WHEREAS, the Governor of California signed Assembly Bill 12 on July 28, 2009, which in part authorizes the Director of Finance to act as agent for the state to sell a portion of or otherwise obtain value for the State Compensation Insurance Fund assets and liabilities; and

WHEREAS, AB 12 requires the Board of Directors of State Fund to concur that the assets and liabilities identified by the Director of Finance are appropriate for disposition; and

WHEREAS, two parties have indicated an intent to initiate litigation challenging AB 12's provisions; and

WHEREAS, the Board of Directors has an immediate need to discuss legislation that may affect the State Compensation Insurance Fund; and

WHEREAS, the delay necessitated by providing notice 10 days prior to a meeting as required by Government Code Section 11125 would not allow the Board of Directors sufficient time to confer with staff and legal counsel;

NOW THEREFORE,

It is RESOLVED, that the Board of Directors finds that the delay necessitated by providing notice 10 days prior to a meeting as required by Government Code Section 11125 would cause a substantial hardship on the State Compensation Insurance Fund and its Board of Directors.