

**ITEM 15**  
**EXECUTIVE DIRECTOR'S REPORT**  
**Workload, Budget, and Proposed Agendas**

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**I. WORKLOAD: Pending Caseload**

Type of Action	March 16, 2007	January 11, 2007	March 17, 2006
Test Claims to be Heard and Determined	86 <sup>1</sup>	87	107
Test Claims to be Reconsidered	1	1	0
Test Claims to be Reconsidered Based on Court Action	0	0	1
Test Claims to be Reconsidered, as Directed by the Legislature	2	2	2
Incorrect Reduction Claims to be Heard and Determined	118	118	104
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	0
Proposed Parameters and Guidelines, and Amendments	14	15	29
Parameters and Guidelines to be Amended or Set Aside, as Directed by the Legislature or Court Action	0	0	2
Statewide Cost Estimates to be Adopted	7	8	6
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	2	0	0

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<sup>1</sup> This includes 55 test claims filed by school districts and 31 filed by local agencies.

## II. MEETINGS

The Executive Director continued to meet with claimants, statewide organizations, legislative staff, Legislative Analyst's Office, and state agency representatives to review test claim scheduling and discuss issues and concerns.

## III. PROPOSED 2007-2008 BUDGET

The Commission on State Mandates appears in the Budget under Item 8885. Also included under this number are mandate appropriations for local agencies and mandate reform issues. Mandate appropriations for school districts (K-12) are included in the Budget under the Department of Education, Item 6110-295 and Community Colleges, Item 6870-295.

### A. Issues Identified by Legislative Analyst

The Legislative Analyst's Report identified the following issues in the Governor's Proposed Budget:

1. The budget includes no funding for payments for past due state mandate claims to local governments. The current budget includes two years' worth of payments, enabling the state to forego a year's worth of payments in the budget.
2. The budget includes no funding for General Fund mandate payments. The Administration has adopted a new perspective that these costs are not due and payable at the time "estimated claims" are filed, but after the local agency submits the bill. LAO recommends that the Administration either propose funding for 2007-2008 costs or propose legislation to modify the Government Code to reflect its delayed payment schedule.
3. New Mandates – Local Agencies. The budget does not specify the administration's proposals to fund, suspend, or defer costs for the following newly identified mandates: *False Reports of Police Misconduct, Crime Victim's Domestic Violence Incident Reports, Peace Officer Personnel Records Unfounded Complaints and Discovery* (\$2.878 million).
4. New Mandate – Community Colleges: *Integrated Waste Management Program*. The LAO reviewed this mandate and identified several options for the Legislature to reduce or eliminate the costs of the program. The options are as follows:
  - Treat community colleges similarly to other local governments, which are authorized to charge fees to cover program costs. (Eliminates costs.)
  - Treat community colleges the same as K-12 districts, which are encouraged- but not required to comply with diversion goals. (Eliminates future mandate claims.)
  - Amend statute to require community college districts to apply savings and revenues to offset diversion program costs and direct Commission to amend the parameters and guidelines to reflect this change in law... (Reduces future mandate claims.)

5. Mandate Reform. This issue will be presented and discussed during Item 12.

B. Senate

Senate Budget and Fiscal Review Subcommittee #4 held an informational hearing on mandate appropriations and mandate reform on March 8, 2007. No actions were taken. A second hearing is scheduled for April 19, 2007.

C. Assembly

The committee staff is reviewing the *Integrated Waste Management Program* and the statewide cost estimate adopted by the Commission. The State Controller's Office has provided updated claiming data (with offset information) and the Integrated Waste Management Board is providing additional information on possible offsetting savings and revenues for evaluation by the Legislative Analyst's Office.

Assembly Budget Subcommittee #4 has scheduled a hearing on April 17, 2007.

**IV. PROPOSED AGENDA, Hearing on April 16, 2007**

A. Test Claims (7)

1. *In-Home Support Services (IHSS) I*, 4314  
County of San Bernardino, Claimant
2. *In-Home Supportive Services II*, 00-TC-23  
County of San Bernardino, Claimant
3. *California Youth Authority: Sliding Scale for Charges*, 02-TC-01  
County of San Bernardino, Claimant
4. *Reconveyance of Deed of Trust and Mortgage Discharge Certificate*  
02-TC-41  
County of San Bernardino, Claimant
5. *Peace Officer Instructor Training*; 02-TC-26  
San Bernardino Community College District, Claimant
6. *CalSTRS Creditable Compensation*, 01-TC-02,  
Lassen County Office of Education and San Luis Obispo County Office of  
Education, Claimants  
And  
*CalSTRS Service Credit*, 02-TC-19  
Santa Monica Community College District, Claimant
7. *Pupil Discipline Records*, 00-TC-10 and *Notification to Teachers: Pupils Subject  
to Suspension or Expulsion II*, 00-TC-11, Carpinteria Unified School District and  
Sweetwater Union and Grant Joint Union High School District, Co-Claimants

B.. Proposed Statewide Cost Estimates (1)

1. *The Stull Act*, 98-TC-25  
Santa Monica and Lake Tahoe Community College Districts, Claimants

**V. PROPOSED AGENDA – Hearing on May 31, 2007**

A. Test Claims

1. Expulsions II, Suspensions II,  
96-358-03, 03A, 03B, 04, 04A, 04B, 98-TC-22, 23, 01-TC-17, 18,  
consolidated with  
Education Services Plan, 97-TC-09  
San Juan Unified School District, Claimant
2. Local Agency Formation Commissions 02-TC-23  
Sacramento Metropolitan Fire District, Claimant
3. Reporting Improper Governmental Activities  
02-TC-24  
San Juan USD and Santa Monica CCD
4. Medically Indigent Adults, 01-TC-26  
San Bernardino County

B. Proposed Parameters and Guidelines and Amendments

1. *Mentally Disordered Offenders: Treatment as a Condition of Parole*,  
00-TC-28, 05-TC-06  
County of San Bernardino, Claimant
2. *Post Conviction: DNA Court Proceedings*, 00-TC-21, 01-TC-08  
County of Los Angeles, Claimant
3. *Law Enforcement Sexual Harassment Complaint Procedures (TENTATIVE)*  
Request to Amend Parameters and Guidelines to Delete School Districts  
as Eligible Claimants, 05-PGA-08  
Department of Finance, Requestor

C. Proposed Statewide Cost Estimates

1. *High School Exit Exams*, 00-TC-06  
Trinity Unified High School District
2. *Handicapped and Disabled Students II*, 02-TC-40/02-TC-49  
Counties of Los Angeles and Stanislaus, Claimants
3. *Enrollment Fee Collection*, 99-TC-13  
Los Rios Community College District, Claimant  
and  
*Enrollment Fee Waivers*, 00-TC-15  
Glendale Community College District, Claimant