ITEM 20

PROPOSED AMENDMENT TO PARAMETERS AND GUIDELINES

Labor Code Section 3212.1
as Added by Statutes 1982, Chapter 1568

Firefighter's Cancer Presumption
(CSM 4081)

And

Labor Code Section 3212.1
as Amended by Statutes 1989, Chapter 1171

Cancer Presumption – Peace Officers
(CSM 4416)

Reconsideration Directed by Statutes 2006, Chapter 78, Section 8
(Assem. Bill (AB) No. 1805)

06-RL-4081/4416-01

Executive Summary

This item is to be considered by the Commission if the Commission adopts the staff recommendation on reconsideration of these test claims in Item 8.

Background

Statutes 2006, chapter 78, section 8, directs the Commission on State Mandates (Commission) to reconsider the Statements of Decision and parameters and guidelines in *Firefighters Cancer Presumption* (CSM 4081) and *Cancer Presumption-Peace Officers* (CSM 4416) "no later than six months after a final court decision is issued in the case of *CSAC Excess Insurance Authority and City of Newport Beach v. Commission on State Mandates* (Case No. B188169, an appeal in the Second District Court …)." Pursuant to the statute, the Commission's decision will be effective beginning July 1, 2008.

In Item 8, the Commission found that upon reconsideration, Labor Code section 3212.1, as added and amended by Statutes 1982, chapter 1568 and Statutes 1989, chapter 1171, does not impose a reimbursable state-mandated program on local agencies within the meaning of article XIII B, section 6 of the California Constitution. Beginning July 1, 2008, reimbursement is not required for the activities and costs listed in the parameters and guidelines for *Firefighters Cancer Presumption* (CSM 4081) and *Cancer Presumption-Peace Officers* (CSM 4416).

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Staff Recommendation

Staff recommends that the Commission adopt the proposed amendments to the parameters and guidelines for *Firefighters Cancer Presumption* (CSM 4081) [Exhibit A] and *Cancer Presumption-Peace Officers* (CSM 4416) [Exhibit B], which ends reimbursement for these programs beginning July 1, 2008.