

**COMMISSION ON STATE MANDATES**

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June 19, 2003

Mr. Jim Zerio  
State Teacher's Retirement System  
Legislative Services Office  
7667 Folsom Boulevard  
P.O. Box 15275  
Sacramento, CA 95 85 1

*And Affected State Agencies and Interested Parties (see enclosed mailing list)*

Re: *CalSTRS Service Credit; 02-TC- 19*  
Santa Monica Community College District, Claimant  
Statutes 1993, Chapter 893 (AB 1796)  
Statutes 1994, Chapters 20 (SB 858), 507 (AB 2647), 603 (AB 2554), and 933 (AB 3171)  
Statutes 1995, Chapters 390 (AB 1122), 394 (AB 948), and 592 (AB 1298)  
Statutes 1996, Chapters 383 (AB 3221), 608 (AB 2673), 634 (SB 2041), 680 (SB 1877),  
and 1165 (AB 3032)  
Statutes 1997, Chapters 482 (SB 471) and 838 (SB 227)  
Statutes 1998, Chapters 965 (AB 2765), 967 (AB 2804), 1006 (AB 1102), 1048 (SB 2085),  
and 1076 (SB 2126)  
Statutes 1999, Chapter 939 (SB 1074)  
Statutes 2000, Chapters 402 (AB 649), 880 (SB 1694), 1020 (AB 820), 1021 (AB 2700),  
1025 (AB 816), and 1032 (SB 1435)  
Statutes 2001, Chapters 77 (SB 165), 159 (SB 662), 802 (SB 499), and 803 (SB 501)  
Statutes 2002, Chapter 375 (AB 2982)  
Educations Code Section 22000, et al.

Dear Mr. Zerio:

Thank you for informing us that you are interested in commenting on the above-named test claim. Commission staff has reviewed the test claim and determined that it is complete. A copy of the test claim is being provided to affected state agencies and interested parties because of their interest in the Commission's determination.

The key issues before the Commission are:

- ⚡ Do the provisions listed above impose a new program or higher level of service within an existing program upon local entities within the meaning of section 6, article XIII B of the California Constitution and costs mandated by the state pursuant to section 175 14 of the Government Code?
- ⚡ Does Government Code section 17556 preclude the Commission from finding that any of the test claim provisions impose costs mandated by the state?

The Commission requests your participation in the following activities concerning this test claim:

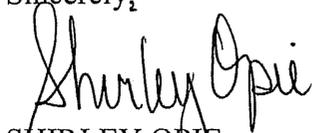
- **Informal Conference.** An informal conference may be scheduled if requested by any party. See section 1183.04 of the California Code of Regulations, title 2 (the regulations).
- **State Agency Review of Test Claim.** State agencies receiving this letter are requested to analyze the merits of the test claim and to file written comments on the key issues before the Commission. Alternatively, if a state agency chooses not to respond to this request, please submit a written statement of non-response to the Commission. Requests for extensions of time may be filed in accordance with sections 1183.01 (c) and 118 1.1 (g) of the regulations. State agency comments are due on **Thursday, July 24, 2003.**
- **Claimant Rebuttal.** The claimant and interested parties may file rebuttals to state agencies' comments under section 1183 .02 of the regulations. The rebuttal is due 30 days from the service date of written comments.
- **Hearing and Staff Analysis.** A hearing on the test claim will be set when the draft staff analysis of the claim is being prepared. At least eight weeks before a hearing is conducted, the draft staff analysis will be issued to parties, interested parties, and interested persons for comment. Comments are due at least five weeks prior to the hearing or on the date set by the Executive Director, pursuant to section 1183.07 of the regulations. Before the hearing, a final staff analysis will be issued.
- **Mailing Lists.** Under section 118 1.2 of the regulations, the Commission will promulgate a mailing list of parties, interested parties, and interested persons for each test claim and provide the list to those included on the list, and to anyone who requests a copy. Any written material filed on that claim with the Commission shall be simultaneously served on the other parties listed on the mailing list provide by the Commission.
- **Dismissal of Test Claims.** Under section 1183.09 of the regulations, test claims may be dismissed if postponed or placed on inactive status by the claimant for more than one year. Prior to dismissing a test claim, the Commission will provide 150 days notice and opportunity for other parties to take over the claim.

If the Commission determines that a reimbursable state mandate exists, the claimant is responsible for submitting proposed parameters and guidelines for reimbursing all eligible local entities. All interested parties and affected state agencies will be given an opportunity to comment on the claimant's proposal before consideration and adoption by the Commission.

Finally, the Commission is required to adopt a statewide cost estimate of the reimbursable state-mandated program within 12 months of receipt of a test claim. This deadline may be extended for up to six months upon the request of either the claimant or the Commission.

Please contact Nancy Patton at (916) 323-8217 if you have any questions.

Sincerely,



SHIRLEY ORJE

Assistant Executive Director

Enclosure: Copy of Test Claim

# Commission on State Mandates

Original List Date: 5/27/2003

Mailing Information: Other

Last Updated:

List Print Date: 06/18/2003

## Mailing List

Claim Number: 02-TC-19

Issue: CalSTRS Service Credit

### TO ALL PARTIES AND INTERESTED PARTIES:

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, § 1181.2.)

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