

COMMISSION ON STATE MANDATES

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September 28, 2001

Mr. Paul C . Minney
Spector, Middleton, Young, & Minney , LLP
7 Park Center Drive
Sacramento, CA 95825

And Interested Parties and Affected State Agencies (See Enclosed Mailing List)

RE: *CalSTRS Creditable Compensation - 01-TC-02*
Statutes of 1999, Chapter 939 (SB 1074)
Statutes of 2000, Chapter 1021 (AB 2700)
Lassen County Office of Education, Claimant
San Luis Obispo County Office of Education, Claimant

Dear Mr. Minney :

The Commission on State Mandates determined that the subject test claim submittal is complete. The test claim initiates the process for the Commission to consider whether the provisions listed above impose a reimbursable state-mandated program upon local entities. State agencies and interested parties are receiving a copy of this test claim because they may have an 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 17514 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 interested party. See Title 2, California Code of Regulations, section 1183.04 (the regulations).
- State Agency Review of Test Claim. State agencies receiving this letter are requested to analyze the merits of the enclosed 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 1181.1 (g) of the regulations. State agency comments are due 30 days from the date of this letter.

- ⚡ **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 record closes. Pursuant to section 1183.07 of the Commission's regulations, at least eight weeks before the hearing is conducted, a draft staff analysis will be issued to parties, interested parties, and interested persons for comment. Comments are due 30 days following receipt of the analysis. Following receipt of any comments, and before the hearing, a final staff analysis will be issued.
- ⚡ **Mailing Lists.** Under section 1181.2 of the Commission's 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 claim.
- ⚡ **Dismissal of Test Claims.** Under section 1183.09 of the Commission's regulations, test claims filed after May 5, 2001, 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 an amended 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 OPIE

Assistant Executive Director

Enclosures: Mailing List and Test Claim

Commission on State Mandates

List Date: 09/28/2001

Mailing Information Completeness Determination

Mailing List

Claim Number * 0 1-TC-02 Claimant San Luis Obispo County Office of Education

Subject Statutes of 1999, Chapter 939, Statutes of 2000, Chapter 102 1

Issue CalSTRS Credible Compensation

Ms. Harmeet Barkschat,
Mandate Resource Services

8254 Heath Peak Place
Antelope CA 95843

Tel: (916) 727-1350
FAX: (916) 727-1734

Interested Person

Dr. Carol Berg,
Education 'Mandated Cost Network

121 L Street Suite 1060
Sacramento CA 958 14

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FAX: (916) 446-2011

Interested Person

Mr. Glenn Haas, Bureau Chief (B-8)

State Controller's Office
Division of Accounting & Reporting
3301 C Street Suite 500
Sacramento CA 95816

Tel: (916) 445-8757
FAX: (916) 323-4807

State Agency

Ms. Diana Halpenny, General Counsel
San Juan Unified School District

3738 Walnut Avenue P.O. Box 477
Carmichael CA 95609-0477

Tel: (916) 971-7109
FAX: (916) 971-7704

Interested Person

Mr. Paul Minney,
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Tel: (916) 646-1400
FM (916) 646-1300

Claimant

Subject

Statutes of 1999, Chapter 939, Statutes of 2000, Chapter 1021

Issue

CalSTRS Credible Compensation

Mr. Andy Nichols, Senior Manager
 Centration, Inc.

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 Gold River CA 95670

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Interested Person

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 Sixteo & Associates

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 San Diego CA 92117

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Interested Person

Ms. Sandy Reynolds, President
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 Sun City CA 92586

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Interested Person

Ms. Nancy Shaffer, CTA Representative
 California Teachers Association

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 Vacaville CA 95687-7414

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Interested Person

Mr. Steve Shields,
 Shields Consulting Group, Inc.

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Interested Person

Mr. Gene Sies, Assismand Superintendent
 Lassen County Office of Education

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 Susanville Ca 96130

Tel: (530) 257-2196
FAX: (530) 257-2518

Claimant

Subject Statutes of 1999, Chapter 939, Statutes of 2000, Chapter 102 1

Issue CalSTRS Crediable Compensation

Mr. Eric Smith, Deputy Superintendent
 San Luis Obispo County Office of Education

P O Box 8105 Education Drive at Highway One *Tel: (805) 782-7211*
 San Luis Obispo Ca 93403 *FAX: (805) 544-0136*

Claimant

Mr. Steve Smith, CEO
 Mandated Cost Systems, Inc.

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Interested Person

Mr. Jim Spano,
 State Controller's Office
 Division of Audits (B-8)
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State Agency

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State Agency