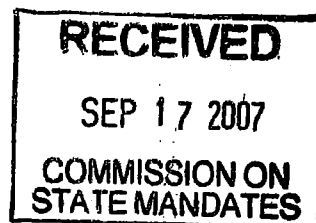


**THE COMMISSION ON STATE MANDATES  
OF THE  
STATE OF CALIFORNIA**



**TEST CLAIM  
(Govt. Code § 17553)**

In the Matter of

UNION SANITARY DISTRICT

FOR REIMBURSEMENT OF EXPENSES INCURRED TO SATISFY  
NEW ETHICS TRAINING REQUIREMENTS  
FOR CALIFORNIA PUBLIC OFFICIALS

Presented by

RICHARD B. CURRIE  
General Manager/District Engineer  
UNION SANITARY DISTRICT  
P. O. Box 5050  
Union City, CA 94587

Attorney for Claimant:

DAVID M. O'HARA  
Attorney at Law  
39300 Civic Center Drive, Suite 110  
Fremont, CA 94538

## TABLE OF AUTHORITIES

### Statutes

AB 1234 (Salinas) of 2005

Government Code § 53234 et seq.

### Cases

1. *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.
2. *Department of Finance v. Commission on State Mandates* (2003)  
30 Cal.4th 727, 732.
3. *Lucia Marr Unified School District v. Honig* (1988) 44 Cal.3d 83.
4. *San Diego Unified School District v. Commission on State Mandates*  
(2004) 33 Cal.4th 859.

Sections 5, 6, and 7 should be answered on separate sheets of plain 8-1/2 x 11 paper. Each sheet should include the test claim name, the claimant, the section number, and heading at the top of each page.

## 5. WRITTEN NARRATIVE

Under the heading "5. Written Narrative," please identify the specific sections of statutes or executive orders alleged to contain a mandate.

Include a statement that actual and/or estimated costs resulting from the alleged mandate exceeds one thousand dollars (\$1,000), and include all of the following elements for each statute or executive order alleged:

- (A) A detailed description of the new activities and costs that arise from the mandate.
- (B) A detailed description of existing activities and costs that are modified by the mandate.
- (C) The actual increased costs incurred by the claimant during the fiscal year for which the claim was filed to implement the alleged mandate.
- (D) The actual or estimated annual costs that will be incurred by the claimant to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.
- (E) A statewide cost estimate of increased costs that all local agencies or school districts will incur to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.
- (F) Identification of all of the following funding sources available for this program:
  - (i) Dedicated state funds
  - (ii) Dedicated federal funds
  - (iii) Other nonlocal agency funds
  - (iv) The local agency's general purpose funds
  - (v) Fee authority to offset costs
- (G) Identification of prior mandate determinations made by the Board of Control or the Commission on State Mandates that may be related to the alleged mandate.

## 6. DECLARATIONS

Under the heading "6. Declarations," support the written narrative with declarations that:

- (A) declare actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate;
- (B) identify all local, state, or federal funds, and fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs;
- (C) describe new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections, or page numbers alleged to impose a reimbursable state-mandated program); and
- (D) are signed under penalty of perjury, based on the declarant's personal knowledge, information or belief, by persons who are authorized and competent to do so.

## 7. DOCUMENTATION

Under the heading "7. Documentation," support the written narrative with copies of all of the following:

- (A) the test claim statute that includes the bill number alleged to impose or impact a mandate; and/or
- (B) the executive order, identified by its effective date, alleged to impose or impact a mandate; and
- (C) relevant portions of state constitutional provisions, federal statutes, and executive orders that may impact the alleged mandate; and
- (D) administrative decisions and court decisions cited in the narrative. Published court decisions arising from a state mandate determination by the Board of Control or the Commission are exempt from this requirement.

**NARRATIVE SUPPORTING CLAIM  
OF  
UNION SANITARY DISTRICT  
FOR  
COMPLIANCE WITH AB1234 ETHICS TRAINING REQUIREMENTS**

**PART (A).**

**PRIOR LAW**

The law prior to the bill passed in 2005, AB 1234, required no ethics training of any elected official.

**NEW PROGRAM**

A new program was imposed by the passage of AB 1234 (Salinas), passed by the Assembly on August 30, 2005, signed by the Governor on October 7, 2005, and filed with the Secretary of State October 7, 2005, as Chapter 700, 2005 legislation.

AB 1234 added a number of government code sections, including Government Code § 53234, to include in ethics training requirements any member of a local agency legislative body or any elected local official who receives any type of compensation, salary, or stipend for reimbursement for actual and necessary expenses incurred in the performance of official duties.

Further, Government Code § 53235 requires that each defined local official shall ... "receive at least two hours of training in general ethics principles and ethics laws relative to his or her public service every two years."

There did not exist prior to 2006 any curriculum for ethics training.

Government Code § 53235 ( c) requires that any entity developing a curricula to satisfy the requirements of the ethics training to clear the contents of the training through the Fair Political Practices Commission and the Attorney General. There are numerous requirements set forth which form an outline of the extensive ethics training subject matter which must be covered.

Subsection (d) of Government Code § 53235 authorizes local agencies to provide the ethics training to meet the requirements specified in AB 1234.

Nowhere in AB 1234, or any of the code sections which are modified, changed or added by AB 1234, is there any allowance for a budget to reimburse expenses incurred in agencies providing the ethics training for their elected officials. The ethics training is required by each public agency to be available at least once annually, although any individual member of an elected board is only required to attend once every two years.

250 persons attended the training, which included elected officials as well as staff members of sanitation agencies, primarily general managers and key staff positions.

The cost of the printing of the training manual, rent of the room in the hotel in Monterey, and the time of the administrative officials of the California Association of Sanitation Agencies is not included in this claim.

## **LEGAL AUTHORITIES**

### **State Mandated Programs:**

California Constitution Article XIII B, Section 6, provides that ...

"Whenever the legislature or any state agency mandates a new program or higher level of service on any local government, the state shall provide a subvention of funds to reimburse such local government for the costs of such program or increased level of service."

A number of court decisions have helped define what constitutes a program under the provisions of Article XIII B, Section 6, of the constitution. In County of Los Angeles v. State of California (1987) 43 Cal.3d 46, 56 and in Lucia Marr Unified School District v. Honig (1988) 44 Cal.3d 83 at 835, these courts required that any activity or task that is reimbursable, which constitutes a "new program," must create a "higher level of service" over that previously required. Further, in County of Los Angeles (supra), *the court defined a program* as one that carries out the "governmental function of providing services to the public, or laws which, to implement state policy, impose unique requirements on local governments and do not apply generally to all residents or entities in the state."

Most certainly, the County of Los Angeles (supra) decision defines a new program which clearly is fulfilled by the ethics training requirements of AB 1234 (Salinas) passed by the legislature in 2005.

### **Mandates Imposed by the State**

There is no doubt that the ethics training required by AB 1234 meets all four of the requirements of California Constitution Article XIII B, Section 6, as a reimbursable state mandate.

The four requirements are:

1. Law enacted after January 1, 1975.
2. Forces local agencies to expend local tax revenue.

## **AB 1234 Compliance Mandatory**

AB 1234 compels a higher level of service to an existing program. In decisions made in Department of Finance v. Commission on State Mandates (2003) 30 Cal.4th 727, 732 and San Diego Unified School District v. Commission on State Mandates (2004) 33 Cal.4th 859, the California Supreme Court determined that unless a local agency is "legally compelled" to provide a new program or higher level of service, it may not receive state reimbursement. Given that local agencies are forced to provide reimbursement or compensation to cover expenses incurred by local agency officials in furtherance of their duties, it is beyond question that the participation cannot be discontinued.

### **PART (D).**

#### **FUTURE ANNUAL COSTS**

This claimant does not expect to incur any costs in calendar year 2007, or fiscal year 2007-08, for preparing any course materials, or presenting AB 1234 Mandated Ethics Training in that period. However, claimant, like all public agencies, is required to have all elected officials obtain ethics training, and there will be some minor costs to provide that. In the case of Union Sanitary District, a new member of the Board of Directors, replacing a recently resigned member, will be seated sometime in the next few months and will be required under AB 1234 to attend ethics training within one year of taking office. This may entail additional costs for attendance at training provided by others, a daily stipend for a day of service of a director, transportation, and possibly lodging. This may be as much as \$1,000.

### **PART (E).**

#### **STATEWIDE COST ESTIMATE**

It is impossible to ascertain what the increased cost for all local agencies or school districts which are required to comply with the ethics training element of AB 1234 might total. However, some estimate can be made. Given that there may be 2,500 special districts, and another 2,500 other governmental entities, in California, each having elected members of, say, five directors or trustees, who will require the training every two years.

Attendance at the two-hours training would constitute a day of service for many of these elected officials, who would also be entitled to transportation and lodging expenses where necessary.

However, it would be impossible to estimate the statewide cost of preparing curricula, materials, and delivering training since it is virtually impossible to understand what access given public entities have to this sort of training, since the state itself has not undertaken any effort known to the undersigned to provide the training which was mandated by AB 1234.

for delivery of the ethics training; print manuals; distribute advertising; and, conduct the training to over 250 individuals in Monterey on August 10, 2006, many if not most of these agencies would be required to find outlets and perhaps to provide their own training at a cost well in excess of that included in this test claim.

I, Richard B. Currie, General Manager/District Engineer of Union Sanitary District, have read the above claim, am aware of its contents and can state that the test claim is true and complete to the best of my personal knowledge, information and belief. And therefore, I sign my name under penalty of perjury under the laws of the State of California of the accuracy of the information contained in this claim.

WITNESS my signature this 31st day of August, 2007.



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RICHARD B. CURRIE  
on behalf of  
UNION SANITARY DISTRICT

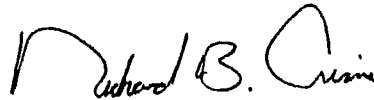
C. Activities necessarily performed to implement the AB 1234 required ethics training were:

1. Preparation of a textbook, in the form of a printed, bound manual, consisting of 94 pages, with appendices;
2. Arrangements for six lawyers familiar with the ethics requirement elements mandated by AB 1234, to present eight different segments which were provided in a two-hour session on August 10, 2006, in Monterey, California, to 250 attendees at the California Association of Sanitation Agencies' annual meeting.

D. Costs of printing and binding of the manual, renting of auditorium space in the Monterey, California, Marriott Hotel on the afternoon of Thursday, August 10, 2006; advertising and other administrative costs incurred by California Association of Sanitation Agencies in advertising and assisting in the presentation of the training; and other expenses, none of which are claimed in this test claim.

I, Richard B. Currie, General Manager of Union Sanitary District, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Date: 8/31/07



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RICHARD B. CURRIE  
General Manager  
UNION SANITARY DISTRICT



**AB1234 (Salinas)**



(d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

(e) All documents related to reimbursable agency expenditures are public records subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

53232.4. Penalties for misuse of public resources or falsifying expense reports in violation of expense reporting policies may include, but are not limited to, the following:

(a) The loss of reimbursement privileges.

(b) Restitution to the local agency.

(c) Civil penalties for misuse of public resources pursuant to Section 8314.

(d) Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code.

SEC. 4. Article 2.4 (commencing with Section 53234) is added to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, to read:

#### Article 2.4. Ethics Training

53234. For the purposes of this article, the following terms have the following meanings:

(a) "Legislative body" has the same meaning as specified in Section 54952.

(b) "Local agency" means a city, county, city and county, charter city, charter county, charter city and county, or special district.

(c) "Local agency official" means the following:

(1) Any member of a local agency legislative body or any elected local agency official who receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties.

(2) Any employee designated by a local agency legislative body to receive the training specified under this article.

(d) "Ethics laws" include, but are not limited to, the following:

(1) Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws.

(2) Laws relating to claiming prerequisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies.

(3) Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws.

(4) Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

53235. (a) If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article.

SEC. 7. Section 7047 of the Harbors and Navigation Code is amended to read:

7047. Each director shall receive a sum as may be fixed by the board, not exceeding fifty dollars (\$50) for each meeting of the board attended by him or her, for not exceeding four meetings in any calendar month. A director may also receive traveling and other expenses incurred by him or her when performing duties for the district other than attending board meetings. For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 8. Section 2030 of the Health and Safety Code is amended to read:

2030. (a) The members of the board of trustees shall serve without compensation.

(b) The members of the board of trustees may receive their actual and necessary traveling and incidental expenses incurred while on official business. In lieu of paying for actual expenses, the board of trustees may by resolution provide for the allowance and payment to each trustee a sum not to exceed one hundred dollars (\$100) per month for expenses incurred while on official business. A trustee may waive the payments permitted by this subdivision.

(c) Notwithstanding subdivision (a), the secretary of the board of trustees may receive compensation in an amount determined by the board of trustees.

(d) Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 9. Section 2851 of the Health and Safety Code is amended to read:

2851. The members of the district board shall hold office at the pleasure of the board of supervisors. They shall serve without compensation, but shall be allowed their necessary traveling and other expenses incurred in performance of their official duties. In lieu of expenses, the district board may, by resolution, provide for the allowance and payment to each member of the board of a sum not exceeding one hundred dollars (\$100) as expenses incurred in attending each business meeting of the board. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 10. Section 4733 of the Health and Safety Code is amended to read:

4733. (a) The district board may fix the amount of compensation per meeting to be paid each member of the board for services for each meeting attended by the member. Subject to subdivision (b), the compensation shall not exceed one hundred dollars (\$100) for each meeting of the district board attended by the member or for each day's service rendered as a member by request of the board, not exceeding a total of six days in any calendar month, together with any expenses incident thereto.

(b) The district board, by ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code, may increase the compensation received by the district board members above the amount of one hundred dollars (\$100) per day.

(c) For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

(d) A member of the board of trustees may waive any or all of the payments permitted by this section.

(e) For the purposes of this section, a meeting of the board of trustees includes, but is not limited to, regular meetings, special meetings, closed sessions, emergency meetings, board field trips, district public hearings, or meetings of a committee of the board.

(f) For purposes of this section, the determination of whether a trustee's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

(g) Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 14. Section 13857 of the Health and Safety Code is amended to read:

13857. (a) Subject to subdivision (b), each member of the district board may receive compensation in an amount set by the district board not to exceed one hundred dollars (\$100) for attending each meeting of the district board. The number of meetings for which a member of the board of directors may receive compensation shall not exceed four meetings in any calendar month.

(b) The district board, by ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code, may increase the compensation received by the district board members above the amount prescribed by subdivision (a).

(c) For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

SEC. 15. Section 13866 of the Health and Safety Code is amended to read:

13866. A district may authorize its directors and employees to attend professional or vocational meetings and pay their actual and necessary traveling and incidental expenses while on official business. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 16. Section 32103 of the Health and Safety Code is amended to read:

32103. The board of directors shall serve without compensation except that the board of directors, by a resolution adopted by a majority vote of the members of the board, may authorize the payment of not to exceed one hundred dollars (\$100) per meeting not to exceed five meetings a month as compensation to each member of the board of directors.

Each member of the board of directors shall be allowed his or her actual necessary traveling and incidental expenses incurred in the performance of official business of the district as approved by the board. For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 17. Section 1197 of the Military and Veterans Code is amended to read:

1197. The board shall consist of five members who shall be registered electors residing within the district or proposed district at the time of their election and shall be elected by the qualified electors of the district. A majority of the seats on the board shall

5784.15. (a) The board of directors may provide, by ordinance or resolution, that each of its members may receive compensation in an amount not to exceed one hundred dollars (\$100) for attending each meeting of the board. The board of directors, by ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code, may increase the amount of compensation received for attending meetings of the board.

(b) The maximum compensation in any calendar month shall be five hundred dollars (\$500).

(c) In addition, members of the board of directors may receive their actual and necessary traveling and incidental expenses incurred while on official business.

(d) A member of the board of directors may waive the compensation.

(e) For the purposes of this section, a meeting of the board of directors includes, but is not limited to, regular meetings, special meetings, closed sessions, emergency meetings, board field trips, district public hearings, or meetings of a committee of the board.

(f) For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

(g) Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 21. Section 9303 of the Public Resources Code is amended to read:

9303. The directors shall receive no compensation for their services as such, but each shall be allowed reasonable and necessary expenses incurred in attendance at meetings of the directors or when otherwise engaged in the work of the district at the direction of the board of directors. The directors shall fix the amount allowed for necessary expenses, but no director shall be appointed to any position for which he or she would receive compensation as a salaried officer or employee of the district. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 22. Section 11908 of the Public Utilities Code is amended to read:

11908. The board shall establish rules for its proceedings and may provide, by ordinance or resolution, that each member shall receive for each attendance at the meetings of the board, or for each day's service rendered as a director by request of the board, the sum of one hundred dollars (\$100). No director shall receive any other compensation, nor receive pay for more than six days in any one calendar month. For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

SEC. 23. Section 11908.1 of the Public Utilities Code is amended to read:

11908.1. (a) Notwithstanding Section 11908, a district with a board having seven directors may provide, by resolution or ordinance, that each director shall receive compensation in an amount not to exceed one hundred dollars (\$100) per day for each day's attendance at public meetings of the board or for each day's service rendered as a director by request of the board, not exceeding a total of six days in any calendar month, or, in lieu of that compensation, a salary of not to exceed six hundred dollars (\$600) per month subject

SEC. 27. Section 20201 of the Water Code is amended to read:

20201. Notwithstanding any other provision of law, the governing board of any water district may, by ordinance adopted pursuant to this chapter, provide compensation to members of the governing board, unless any compensation is prohibited by its principal act, in an amount not to exceed one hundred dollars (\$100) per day for each day's attendance at meetings of the board, or for each day's service rendered as a member of the board by request of the board, and may, by ordinance adopted pursuant to this chapter, in accordance with Section 20202, increase the compensation received by members of the governing board above the amount of one hundred dollars (\$100) per day.

It is the intent of the Legislature that any future increase in compensation received by members of the governing board of a water district be authorized by an ordinance adopted pursuant to this chapter and not by an act of the Legislature.

For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

SEC. 28. Section 20201.5 is added to the Water Code, to read:

20201.5. Reimbursement for expenses of members of a governing board of a water district is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 29. Section 21166 of the Water Code is amended to read:

21166. Notwithstanding any other provision of law, a director, for sitting on the board or acting under its orders, shall receive both of the following:

(a) (1) Except as specified in paragraphs (2) and (3), compensation not to exceed one hundred dollars (\$100) per day, not exceeding six days in any calendar month.

(2) In districts that produce or distribute electric power, one of the following methods of compensation:

(A) Compensation not to exceed one hundred dollars (\$100) per day.

(B) A monthly salary of not to exceed six hundred dollars (\$600) per month.

(C) Annual compensation not to exceed fifteen thousand dollars (\$15,000). Any annual compensation pursuant to this subparagraph shall be fixed by the adoption of an ordinance pursuant to Sections 20203 to 20207, inclusive.

(3) Districts containing 500,000 acres or more are governed by Section 22840.

(b) Actual and necessary expenses when acting under the orders of the board.

For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 30. Section 30507 of the Water Code is amended to read:

30507. Each director shall receive compensation in an amount not to exceed one hundred dollars (\$100) per day for each day's attendance at meetings of the board or for each day's service rendered as a director by request of the board, not exceeding a total of six days in any calendar month, together with any expenses incurred in the performance of his or her duties required or authorized by the board. For purposes of this section, the

made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 35. Section 55305 of the Water Code is amended to read:

55305. (a) The board of directors may fix the compensation of its members for their services as directors not to exceed ten dollars (\$10) for each meeting attended, not exceeding two meetings in any calendar month. If allowed by the board, a director shall also receive for performing duties for the district other than attending board meetings the following:

(1) An amount not to exceed one hundred dollars (\$100) for each day performing such duties.

(2) Traveling and other expenses incurred by him or her in performing his duties.

(b) For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 36. Section 56031 of the Water Code is amended to read:

56031. The district board shall have power to fix the amount of compensation per meeting to be paid each member of the board for his or her services for each meeting attended by him or her; provided, that the compensation shall not exceed ten dollars (\$10) for each meeting of the district board attended by him or her, together with expenses necessarily incurred by him or her in traveling between his or her place of residence and the place of meeting. However, no member shall receive compensation for attending more than three meetings of the board during any calendar month. This compensation shall be in addition to any other fees or compensation allowed by law for the other official positions specified in Section 56030 that are occupied by members of the district board. For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 37. Section 60143 of the Water Code is amended to read:

60143. Each director shall receive compensation in an amount not exceeding one hundred dollars (\$100) for each day's attendance at meetings of the board or for each day's service rendered as a director by request of the board, not exceeding a total of six days in any calendar month, together with any expenses incurred in the performance of his or her duties required or authorized by the board. For purposes of this section, the determination of whether a director's activities on any specific day are compensable shall be made pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 38. Section 70078 of the Water Code is amended to read:

70078. Each member of the board shall receive compensation for services actually and necessarily performed, as the board determines to be just and reasonable, and shall be reimbursed for expenses necessarily incurred in the performance of his or her duties as director. The salaries of all officers and employees of the district shall be fixed and determined by the directors. The board of directors shall fix the compensation that the election officers shall



**Govt. Code Sec. 53234**

tests, to meet the requirements of this section. These courses may be taken at home, in-person, or online.

(e) All providers of training courses to meet the requirements of this article shall provide participants with proof of participation to meet the requirements of Section 53235.2.

(f) A local agency shall provide information on training available to meet the requirements of this article to its local officials at least once annually.

53235.1. (a) Each local agency official in local agency service as of January 1, 2006, except for officials whose term of office ends before January 9, 2007, shall receive the training required by subdivision (a) of Section 53235 before January 1, 2007. Thereafter, each local agency official shall receive the training required by subdivision (a) of Section 53235 at least once every two years.

(b) Each local agency official who commences service with a local agency on or after January 1, 2006, shall receive the training required by subdivision (a) of Section 53235 no later than one year from the first day of service with the local agency. Thereafter, each local agency official shall receive the training required by subdivision (a) of Section 53235 at least once every two years.

(c) A local agency official who serves more than one local agency shall satisfy the requirements of this article once every two years without regard to the number of local agencies with which he or she serves.

53235.2. (a) A local agency that requires its local agency officials to complete the ethical training prescribed by this article shall maintain records indicating both of the following:

(1) The dates that local officials satisfied the requirements of this article.

(2) The entity that provided the training.

(b) Notwithstanding any other provision of law, a local agency shall maintain these records for at least five years after local officials receive the training. These records are public records subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

<b>Program</b> <b>041</b>	<b>MANDATED COSTS</b> <b>MANDATE REIMBURSEMENT PROCESS (LOCAL AGENCIES)</b> <b>CLAIM SUMMARY</b>	<b>FORM</b> <b>MRP-1</b>
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(01) Claimant UNION SANITARY DISTRICT	(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> Estimated <input type="checkbox"/>	Fiscal Year 2006/2007
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Claim Statistics			
(03) Chapter/Statute, Name, and Number of Mandates	(a) Test Claims	(b) Reimbursement Claims	(c) Incorrect Reduction Claims
AB 1234, Ethics Training for elected officials	22,190.00		
Ethics Training Manual Preparation	9,200.00		
Presenting Ethics Training PowerPoint Graphics	781.24		
480/75 Mandate Reimbursement Process		6,867.00	
<b>Total Number of Claims Filed</b>	<b>32,171.24</b>	<b>6,867.00</b>	

Direct Costs	Object Accounts			
(04) Reimbursable Components	(a) Salaries	(b) Benefits	(c) Services and Supplies	(d) Total
1. Test Claims	32,171.24			
2. Reimbursement Claims	6,867.00			
3. Incorrect Reduction Claims				
(05) Total Direct Costs				

Indirect Costs	
(06) Indirect Cost Rate	[From ICRP] %
(07) Total Indirect Costs	[Line (06) x line (05)(a)] or [(line (06) x ((line (05)(a) + line (05)(b)))]
(08) Total Direct and Indirect Costs	[Line (05)(d) + line (07)]

Cost Reduction	
(09) Less: Offsetting Savings	
(10) Less: Other Reimbursements	
(11) Total Claimed Amount	[Line (08) - ((line (09) + line (10)))]