

COMMISSION ON STATE MANDATES

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July 7, 2000

Mr. Keith Petersen, President
SixTen and Associates
5252 Balboa Avenue, Suite 807
San Diego, CA 92117

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

Re: **Enrollment Fee Collection Program, CSM 99-TC-13**
Los Rios Community College District, Claimant
Education Code Section 76300
Statutes of 1984XX, Chapter 1
Statutes of 1984, Chapters 274, 1401; Statutes of 1985, Chapters 920, 1454
Statutes of 1986, Chapters 46, 394; Statutes of 1987, Chapter 1118
Statutes of 1989, Chapter 136; Statutes of 1991, Chapter 114
Statutes of 1992, Chapter 703; Statutes of 1993, Chapters 8, 66, 67, 1124
Statutes of 1994, Chapters 153, 422; Statutes of 1995, Chapter 308
Statutes of 1996, Chapter 63; Statutes of 1999, Chapter 72
Title 5, California Code of Regulations Sections 58500 - 58508

Dear Mr. Petersen:

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 of the chapters 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 subject statutes, executive orders, standards and procedures result in 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 section 17514 of the Government Code? If so, are costs associated with the mandate reimbursable?
- Do any of the provisions of Government Code section 17556 preclude the Commission from finding that the provisions of the subject statutes impose a reimbursable state-mandated program upon local entities?

Mr. Keith Petersen

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

- **Informal Conference.** An informal conference is tentatively scheduled for **April 27, 2001**, pursuant to your letter dated June 17, 2000.
- **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 its validity under the provisions of Government Code sections 17500 through 17630 and section 1183.02 of the regulations. 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 a rebuttal to state agencies' comments on the test claim under section 1183.02 of the regulations. The rebuttal is due 30 days from the service date of written comments.
- **Public Hearing.** The public hearing on the test claim is tentatively set for **May 24, 2001** at 9:30 a.m., in Room 126, State Capitol, Sacramento. State and local representatives may provide testimony at this hearing. A court reporter will tape the proceedings in order to prepare a transcript. Requests for postponement of the hearing may be filed with the Executive Director in accordance with section 1183.01 of the regulations.

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, including 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 OPIE

Assistant Executive Director

Enclosures: Mailing List and Test Claim

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MAILED: 7-10
DATE: 7-10
INITIAL: SO
FILE: X
WORKING BINDER: _____
FAXED: X

Commission on State Mandates

List Date: 07/10/2000

Mailing Information Completeness Determination

Mailing List

Claim Number 99-TC-13 **Claimant** Claim of Los Rios Community College District

Subject Education Code sections 76300, Statutes of 1984, Chapter 1, et. al.

Issue Enrollment Fee Collection

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Claim Number

99-TC-13

Claimant

Claim of Los Rios Community College District

Subject

Education Code sections 76300, Statutes of 1984, Chapter 1, et. al.

Issue

Enrollment Fee Collection

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Subject

Education Code sections 76300, Statutes of 1984, Chapter 1, et. al.

Issue

Enrollment Fee Collection

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