

ITEM 18
EXECUTIVE DIRECTOR'S REPORT
Commission Workload, Budget, Reports to the Legislature,
Legislation, and Next Meeting/Hearing

I. WORKLOAD

A. Pending Caseload

Type of Action	January 13, 2006	November 22, 2005	January 10, 2005
Test Claims to be Heard and Determined	107	109	105
Test Claims to be Reconsidered	0	0	0
Test Claims to be Reconsidered Based on Court Action	1	1	3
Test Claims to be Reconsidered, as Directed by the Legislature	3	3	11
Incorrect Reduction Claims to be Heard and Determined	104	103	82
Proposed Parameters and Guidelines, and Amendments	31	32	30
Parameters and Guidelines to be Amended or Set Aside, as Directed by the Legislature	9	3	1
Statewide Cost Estimates to be Adopted	6	2	5
New Test Claim Filings to be Reviewed	0	0	1
New Incorrect Reduction Claim Filings to be Reviewed	0	0	Not Available
Appeals of Executive Director's Decision	0	0	0
Regulatory Actions Pending	0	0	0
SB 1033 Applications	0	0	0

II. Budget: Highlights From Governor’s Proposed Fiscal Year 2006-2007 Budget (dof.ca.gov)

A. Commission on State Mandates

The Governor’s Budget includes \$1.629 million to support 13.6 positions and the Commission’s operations.

B. Local Government (Cities, Counties, Special Districts)

1. Mandate Repayments. \$98.1 million for the initial year of the fifteen-year local government mandate repayments. (Item 8885 – Commission on State Mandates)
2. “Newly Determined Local Government Mandates” - \$45.7 million (Item 8885-Commission on State Mandates)
3. Funding for AB 3632 Mental Health Services.

The Governor's Budget continues to provide \$100 million in special education funding in the Department of Education budget for mental health services to special education pupils as required by the Federal Individuals with Disabilities Education Act (IDEA). In addition, the budget includes \$50 million non-Proposition 98 General Fund as a set-aside in the Commission on State Mandates budget for funding mental health services to pupils beyond those that are federally required under a new categorical program. The Administration has begun consultations with stakeholders about shifting AB 3632 services from a state-mandated program to a categorical program effective fiscal year 2006-07. The Administration will broaden these discussions during the next few months so that a refined AB 3632 proposal may be introduced in the May Revision. (Source: Department of Mental Health Budget)

C. School Districts (K-14)

1. On-going Mandates - \$133.6 million for school districts.
2. Partial Repayment of Prior Year Costs - \$ 133.2 million
3. Proposition 98 Reversion Account - \$18.7 million for prior years.

D. Department of Finance

The Governor’s Budget includes \$537,000 reimbursements from mandate savings and 3.8 positions for a unit devoted to addressing issues related to reimbursable state-mandated local programs. The purpose of this unit is to perform policy and legislative analyses, develop policy and processes to improve the mandates system, and ensure fair and equitable payment of costs associated with mandated local programs.

III. REPORTS TO THE LEGISLATURE

A. Commission on State Mandates

The annual report on denied mandates will be submitted to the Legislature next week.

B. State Controller’s Office (SCO) (Exhibit A)

On January 9, 2006, the Commission received the State Controller’s Report required pursuant to Government Code section 17562, subdivision (b). This report summarizes data by state mandate and fiscal year, statewide cost estimate (if applicable), the total amount paid, and appropriation deficiencies or surpluses for each program. This report covers payments for reimbursement claims filed with the SCO for fiscal years 1995-96 through 2004-2005.

IV. PROPOSED LEGISLATION

We have no updates at this time.

V. NEXT HEARING AGENDA: March 30, 2006¹

A. Test Claims

1. *Fire Safety Inspections of Care Facilities*, 01-TC-16, City of San Jose, Claimant
2. *Mentally Disordered Offenders: Treatment as a Condition of Parole*, 00-TC-28, San Bernardino County, Claimant
3. *Charter Schools III*, 99-TC-14, Western Placer Unified School District and Fenton Avenue Charter School, Claimants

B. Court Remand of Prior Test Claim Decision

Standardized Emergency Management Systems (SEMs), CSM-4506, County of San Bernardino, Claimant

C. Proposed Parameters and Guidelines and Proposed Amendments to Parameters and Guidelines

1. *High School Exit Exams*, 00-TC-06, Trinity Unified School District, Claimant
2. *Missing Children Reports*, 01-TC-09
3. *Expulsions (on remand)*

D. Parameters and Guidelines Amendments Directed by the Legislature or Amendments to Test Claim Statutes

1. *Lis Pendens*, 04-PGA-32 (SB 90-4018)
2. *Sex Offenders: Disclosure by Law Enforcement Officers (Megan's Law)*, 04-RL-9715-06 (97-TC-15)
3. *Annual Parent Notification*, 05-PGA-12 (CSM-4474, et al.)

E. Statewide Cost Estimates

1. *Integrated Waste Management*, 00-TC-07, Santa Monica and Lake Tahoe Community College Districts, Claimants

¹ We are in the process of changing the date for the March hearing. All parties and interested parties for these agenda items will be notified of the new date when it is set.