

COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300

SACRAMENTO, CA 95814

(916) 323-3562

Fax: (916) 445-0278

E-mail: csminfo@esm.ca.gov



March 20, 2001

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

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

Re: **Integrated Waste Management, 00-TC-07**
Santa Monica Community College District, Co-Claimant
Lake Tahoe Community College District, Co-Claimant
Statutes of 1999, Chapter 764; Statutes of 1992, Chapter 1116
Public Resources Code Sections 40148, 40196.3, 42920-42928
Public Contract Code Sections 12167 and 12167.1
Executive Orders of the California Integrated Waste Management Board

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 there costs associated with the mandate that are 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?

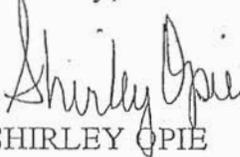
The Commission requests your participation in the following activities concerning this test claim:

- **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 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 October 25, 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 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

WORKING BINDER: g List and Test Claim

FILE: CHRON: //complete/tr

DATE: 3/20/01

MAILED:

INITIAL: VS

FAXED:

Commission on State Mandates

List Date: 03/20/2001

Mailing Information

Mailing List

Claim Number 00-TC-07 **Claimant** Santa Monica Community College District,
Lake Tahoe Community College District

Subject Chapters 764/99 and 1116/92, Public Resources Code Sections 40148, 40196.3, 42920-42928, et al.

Issue Integrated Waste Management

Harmeet Barkschat, Interested person
Mandate Resource Services

8254 Heath Peak Place
Antelope CA 95843

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

Dr. Carol Berg, Ph.D,
Education Mandated Cost Network

1121 L Street Suite 1060
Sacramento CA 95814

Tel: (916) 446-7517
FAX: (916) 446-2011

Mr. Allan Burdick,
DMG-MAXIMUS

4320 Auburn Blvd. Suite 2000
Sacramento CA 95841

Tel: (916) 485-8102
FAX: (916) 485-0111

Mr. James Lombard, Principal Analyst (A-15)
Department of Finance

915 L Street
Sacramento CA 95814

Tel: (916) 445-8913
FAX: (916) 327-0225

Ms. Cheryl Miller, Assoc. Vice-President
Santa Monica Community College District

1900 Pico Blvd.
Santa Monica CA 90405-1628

Tel: (310) 434-4221
FAX: (310) 434-4256

Claim Number

00-TC-07

Claimant

Santa Monica Community College District,
Lake Tahoe Community College District

Subject

Chapters 764/99 and 1116/92, Public Resources Code Sections 40148, 40196.3, 42920-42928, et al.

Issue

Integrated Waste Management

Ms. Linda Moulton-Paterson, Executive Director
California Integrated Waste Mgt. Board

1001 I Street P.O. Box 4025
Sacramento CA 95812

Tel: (916) 341-6000
FAX: (916) 000-0000

Mr. Keith B. Petersen, President
Sixten & Associates

5252 Balboa Avenue Suite 807
San Diego CA 92117

Tel: (858) 514-8605
FAX: (858) 514-8645

Mr. Patrick Ryan,
California Community Colleges
Chancellor's Office

1102 Q Street Suite 300
Sacramento CA 95814-6549

Tel: (916) 327-6223
FAX: (916) 322-2798

Mr. Steve Smith, CEO (Interested Person)
Mandated Cost Systems, Inc.

2275 Watt Avenue Suite C
Sacramento CA 95825

Tel: (916) 487-4435
FAX: (916) 487-9662

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

300 Capitol Mall, Suite 518 P.O. Box 942850
Sacramento CA 95814

Tel: (916) 323-5849
FAX: (916) 324-7223

Mr. Jon Stephens, Vice President

South Lake Tahoe
Community College District One College Drive
South Lake Tahoe CA 96150

Tel: (916) 000-0000
FAX: (916) 000-0000

Claim Number

00-TC-07

Claimant

Santa Monica Community College District,
Lake Tahoe Community College District

Subject

Chapters 764/99 and 1116/92, Public Resources Code Sections 40148, 40196.3, 42920-42928, et al.

Issue

Integrated Waste Management

Mr. Paige Vorhies, Bureau Chief (B-8)

State Controller's Office

Division of Accounting & Reporting

3301 C Street Suite 500

Sacramento CA 95816

Tel: (916) 445-8756

FAX: (916) 323-4807