

SixTen and Associates

Mandate Reimbursement Services

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Paula Higashi, Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

RECEIVED

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**COMMISSION ON
STATE MANDATES**

Re: 01-TC-21
Test Claim of San Bernardino Community College District
Child Abuse and Neglect Reporting

Dear Ms. Higashi:

I have received your letter dated December 31, 2002 which requests that I respond to the allegations of the Department of Social Services and Department of Justice since these letters raise "procedural and substantive issues." You deem that the test claimant's rebuttal is somehow connected to "the active participation of affected state agencies," although it is my understanding that any state agency response, as well as any test claimant rebuttal, is at the discretion of the parties.

It should be noted that I had not received a copy of the response from Social Services until your December 31, 2002 transmittal. We did receive a copy of the Department of Justice (for Finance) response dated November 26, 2002, to which we responded on December 19, 2002. A copy of that response is attached.

The response by Social Services does not add anything to the debate. Social Services concludes that the test claim is "fatally inadequate." This cannot be so, since the Commission accepted the test claim for filing. This test claim was filed in a format used for about twelve years and nearly 100 test claims. Regardless, I believe most of the concerns raised in the Social Services letter are addressed by our December 19, 2002 response to Justice. Other concerns will be addressed at the parameters and guidelines phase of the process.

However, I can appreciate that Ginsberg and Halloran, who are new to this process, are feeling the burden of slogging through nearly twenty-five years of legislative history which is required for the test claim process. They should take some consolation in that the work their state agencies must perform to comply with the process is just a fraction of the burden

placed upon the claimant and the Commission staff.

If the Commission would like the test claimant to modify its filing, please provide us with specific directions.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith B. Petersen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Keith B. Petersen

c/mail: Service List