

**COMMISSION ON STATE MANDATES**

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February 19, 2003

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

*And Affected State Agencies and Interested Parties (see enclosed mailing list)*

Re: *Crime Statistics Reports (K-14)*; 02-TC-12  
Santa Monica Community College District, Claimant  
Statutes 1979, Chapters 255 and 860 (SB 281 and AB 1421);  
Statutes 1980, Chapter 1340 (SB 1447);  
Statutes 1982, Chapters 142 and 147 (SB 561 and Senate Resolution 64);  
Statutes 1984, Chapter 1609 (SB 1472); Statutes 1989, Chapter 1172 (SB 202);  
Statutes 1992, Chapter 1338 (SB 1184); Statutes 1993, Chapter 1230 (AB 2250);  
Statutes 1995, Chapters 803 and 965 (AB 488 and SB 132);  
Statutes 1996, Chapters 872 and 1142 (AB 3472 and SB 1797);  
Statutes 1998, Chapter 933 (AB 1999);  
Statutes 1999, Chapters 561, 659, 661, and 662 (AB 59, SB 355, AB 825, and SB 218);  
Statutes 2000, Chapters 254, 626, and 1001 (SB 2052, AB 715, and SB 1944);  
Statutes 2001, Chapters 468 and 483 (SB 314 and AB 469);  
Statutes 2002, Chapter 833 (SB 1807);  
California Department of Justice, Criminal Statistics Reporting Requirements, March 2000

Dear Mr. Petersen:

Commission staff has reviewed the above-named test claim and determined that it is complete. A copy of the test claim is being provided to affected state agencies and interested parties because of their interest in the Commission's determination.

The key issues before the Commission are:

- Do the provisions listed above impose 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 costs mandated by the state pursuant to section 17514 of the Government Code?
- Does Government Code section 17556 preclude the Commission from finding that any of the test claim provisions impose costs mandated by the state?

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 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 the key issues before the Commission. 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 rebuttals to state agencies' comments under section 1183.02 of the regulations. The rebuttal is due 30 days from the service date of written comments.
- **Hearing and Staff Analysis.** A hearing on the test claim will be set when the draft staff analysis of the claim is being prepared. At least eight weeks before a hearing is conducted, the draft staff analysis will be issued to parties, interested parties, and interested persons for comment. Comments are due at least five weeks prior to the hearing or on the date set by the Executive Director, pursuant to section 1183.07 of the Commission's regulations. Before the hearing, a final staff analysis will be issued.
- **Mailing Lists.** Under section 1181.2 of the Commission's regulations, the Commission will promulgate a mailing list of parties, interested parties, and interested persons for each test claim and provide the list to those included on the list, and to anyone who requests a copy. Any written material filed on that claim with the Commission shall be simultaneously served on the other parties listed on the mailing list provide by the Commission.
- **Dismissal of Test Claims.** Under section 1183.09 of the Commission's regulations, test claims may be dismissed if postponed or placed on inactive status by the claimant for more than one year. Prior to dismissing a test claim, the Commission will provide 150 days notice and opportunity for other parties to take over the claim.

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 and 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

Enclosure: Copy of Test Claim

MAILED:  FILED:   
DATE: 3/19/03 INITIAL: VS  
CHRON: 2\completeltr.doc  
WORKING BINDER:

# Commission on State Mandates

Original List Date: 2/19/2003

Mailing Information: Completeness Determination

Last Updated:

List Print Date: 02/19/2003

## Mailing List

Claim Number: 02-TC-12

Issue: Crime Statistics Reports (K-14)

### TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

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