

**COMMISSION ON STATE MANDATES**

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September 12, 2012

Mr. Keith Petersen  
SixTen and Associates  
P.O. Box 340430  
Sacramento, CA 95834-0430

Mr. Jim Spano  
Division of Audits  
State Controller's Office  
3301 C Street, Suite 700  
Sacramento, CA 95816

*And Affected State Agencies and Interested Parties (See Mailing List)*

**RE: Notice of Proposed Consolidation of Incorrect Reduction Claims  
and Tentative Hearing Date**

*Health Fee Elimination, 05-4206-I-04*

Education Code Section 76355

Statutes 1984, Chapter 1, 2nd E.S.; Statutes 1987, Chapter 1118

Fiscal Years 1999-2000, 2000-2001, and 2001-2002

San Mateo County Community College District, Claimant

and

*Health Fee Elimination, 05-4206-I-08*

Education Code Section 76355

Statutes 1984, Chapter 1, 2nd E.S.; Statutes 1987, Chapter 1118

Fiscal Years 2001-2002 and 2002-2003

San Bernardino Community College District, Claimant

**Notice of Proposed Consolidation.** Pursuant to Government Code section 17558.8 and section 1185.4 of the Commission's regulations, I am proposing to consolidate the above-named incorrect reduction claims. These incorrect reduction claims raise common questions of law and fact and were reduced by the State Controller's Office for the same reason. Accordingly, a consolidation of these claims would address the largest number of cross-cutting issues and result in consistent decision-making by the Commission.

Pursuant to section 1185.4 of the Commission's regulations, this notice of proposed consolidation will be posted to the Commission website at [www.csm.ca.gov](http://www.csm.ca.gov). The consolidation will become effective 30 days from the date of this notice, or on **October 12, 2012**. This consolidated matter will be named *Health Fee Elimination, 05-4206-I-04* and *05-4206-I-08*. Please use this new matter name in all future correspondence.

**Requests to Sever Individual Incorrect Reduction Claims.** On or before October 12, 2012, a claimant may serve and file a written request that an individual incorrect reduction claim be severed from the proposed consolidation. Timely requests to sever shall be approved. Requests for severing an individual incorrect reduction claims received after October 12, 2012 shall be denied. (Cal. Code Regs., tit. 2, § 1185.4(a)(2)(3).)

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**Appeal to the Commission.** Any party may appeal to the Commission for review of the actions and decisions of the executive director to consolidate these incorrect reduction claims pursuant to section 1181 of the Commission's regulations.

**Filing and Service of Written Materials.** Pursuant to section 1181.2(a), the Commission will promulgate a mailing list of parties, interested parties, and interested persons for each claim or other filing, and provide the list to those included on the list, and to anyone who requests a copy. Pursuant to subdivision (b), any written material filed by hard copy with the Commission on this claim shall be simultaneously served on the other parties listed on the mailing list provided by the Commission. However, this requirement may also be satisfied by electronically filing the documents. Please see <http://www.csm.ca.gov/dropbox.shtml> on the Commission's website for instructions on electronic filing. (Cal. Code Regs., tit. 2, § 1181.2.)

This consolidated matter is tentatively set for hearing on either **January 25, 2013** or **March 22, 2013**.

Please contact Kenny Louie, Commission Counsel, at (916) 323-3562, with questions or concerns regarding these matters.

Sincerely,



Heather Halsey  
Executive Director