

ITEM 17
EXECUTIVE DIRECTOR'S REPORT
Workload, Budget, and Next Agenda

I. Workload

Type of Action	January 8, 2004	November 4, 2003	January 8, 2003
Test Claims to be Heard and Determined	131	133	82
Test Claims to be Reconsidered	0	0	0
Test Claims to be Reconsidered Based on Court Action	2 ¹	1	0
Incorrect Reduction Claims to be Heard and Determined	76	76	127
Proposed Parameters and Guidelines, and Amendments	29	34	41
Statewide Cost Estimates to be Adopted	15	9	3
New Test Claim Filings to be Reviewed	0	0	0
Appeals of Executive Director's Decision	5	0	0
Regulatory Actions Pending	0	1	2

II. Budget Updates (Exhibit A)

A. 2003-2004 Budget Reductions

The budget has been reduced by 1.5 positions for a savings of \$102,000.

We are proposing space reductions to align space with existing staff needs. If our proposal is approved, CSM operations may be disrupted during the renovation phase. We will notify members and interested persons of any potential disruptions to the Commission's operations.

B. Proposed Budget 2004-05

On January 10, 2004, the Proposed 2004-05 Budget was released. The proposed budget would appropriate \$1.189 million for the Commission, funding 9.7 personnel years. The budget has been reduced by two positions (an office technician and staff services manager III) for a savings of \$171,000.

¹ *Standardized Emergency Management Systems (SEMS) and School Bus Safety II*

C. Mandate Reimbursements:

All local government mandates are either deferred or suspended. In addition, 30 programs, which have been suspended for the past several years, are proposed for repeal.

The following programs are proposed for suspension for the first time:

- *Domestic Violence Treatment Program Approvals*
- *Extended Commitment Youth Authority*
- *Interdistrict Attendance*
- *Interdistrict Attendance: Parent's Employment*
- *Investment Reports-Schools*
- *County Treasury Oversight Committee-Schools*
- *Law Enforcement Sexual Harassment Training*
- *Elder Abuse Law Enforcement Training*

D. Local Government Claims Bill

For the third year, there will not be a Local Government Claims Bill.

III. Bureau of State Audits Report (BSA) – AB 533

Assembly Member Rebecca Cohn, Joint Legislative Audit Committee Chairperson, amended AB 533 to implement the recommendations from the recent Bureau of State Audits (BSA) Report on the *Peace Officers Procedural Bill of Rights* (POBOR) and *Animal Adoption* programs. Commission and State Controller's staff reviewed the proposed legislation and provided comments to the author's staff. This bill will be heard in Assembly Local Government Committee on January 15, 2004.

IV. Assembly Special Committee on State Mandates

On January 12, 2004, Assembly Member John Laird, Chairperson, reconvened the Assembly Special Committee on State Mandates. The special committee will continue ongoing discussions and discuss legislation that would implement the committee's current recommendations. Chairperson Laird agreed to meet with local agencies and law enforcement on the *Peace Officers' Procedural Bill of Rights* parameters and guidelines and audit report issues.

V. Reports to the Legislature

A. Commission on State Mandates

The Commission's report to the Legislature on Denied Mandates is due on January 15, 2004. This report, made pursuant to Government Code section 17601, will include information on four test claim decisions, and 50 incorrect reduction claims.

Currently, there are no adopted statewide cost estimates to report to the Legislature. A report will be made later this year.

B. Legislative Analyst's Office (LAO) – *New Mandates: Analysis of Measures Requiring Reimbursement* (Exhibit B)

On December 30, 2003, the LAO released, *New Mandates: Analysis of Measures Requiring Reimbursement*. This new report reviews 23 sets of state laws determined by the Commission to impose reimbursable state mandated programs on local governments. The report reviews the newly identified mandates, and offers recommendations as to whether each mandate should be repealed, funded, suspended, or modified. In addition, the LAO recommended the Legislature request the CSM to

reconsider six statements of decision.² In 2003, the LAO staff presented these recommendations to the Assembly Special Committee on State Mandates. This year, the Assembly Special Committee will consider whether to implement these recommendations.

C. State Controller's Office (SCO) (Exhibit C)

On December 31, 2003, the SCO submitted a report that summarizes by state mandate and fiscal year, the total amount of claims paid and deficiencies or appropriation surpluses for each program. The report includes payments for reimbursement claims filed with the SCO for fiscal years 1995-96 through 2002-2003. The report also compares the annual appropriations to the statewide cost estimates adopted by the Commission on State Mandates.

VI. Next Agenda – March 25, 2004

The tentative agenda is subject to change based on requests for extensions of time to file comments on draft staff analyses, hearing postponements, pre-hearing conferences, and Commission staff's litigation workload.

A. Appeals of Executive Director Decisions to Return Filings Based on California Regional Water Quality Control Board Executive Orders

1. *Transit Trash Receptacles*, 03-TC-04, County of Los Angeles, Appellant.
2. *Inspection of Industrial/Commercial Facilities*, 03-TC-19, County of Los Angeles, Appellant.
3. *Waste Discharge Requirements*, 03-TC-20, Cities of Artesia, Beverly Hills, Carson, La Mirada, Monrovia, Norwalk, Rancho Palos Verdes, San Marino, and Westlake Village, Appellants.
4. *Storm Water Pollution Control Requirements*, 03-TC-21, 03-TC-22, Cities of Baldwin Park, Bellflower, Cerritos, Covina, Downey, Monterey Park, Pico Rivera, Signal Hill, South Pasadena, West Covina, and San Dimas, Appellants.

B. Test Claims/Proposed Statements of Decision

1. *High School Exit Examination*, 00-TC-06, Trinity Union High School District, Claimant.
2. *School Accountability Report Cards II*, 00-TC-09, 00-TC-13, Empire Union School District, Claimant and *School Accountability Report Cards III*, 02-TC-32, Bakersfield City School District and Sweetwater Union High School District, Claimants.
3. *Tenure Grievance Arbitration*, 98-TC-18, Sierra Joint Community College District, Claimant.

C. Remands/Proposed Statements of Decision

1. Set Aside Commission's Decision on the *County of San Diego's MIA Claim*, and Make New Findings.
2. Set Aside Commission's Decision on *School Bus Safety II* Test Claim.

² Test claim decisions recommended for reconsideration by the Legislative Analyst's Office: *Extended Commitment: Youth Authority; Photographic Record of Evidence; Sex Offenders: Disclosure by Law Enforcement Officers; Law Enforcement College Jurisdiction Agreements; County Office of Education, Fiscal Accountability Reporting; and Standardized Testing and Reporting.*

D. Requests to Amend Parameters and Guidelines

1. *Pupil Health Screenings*, 01-PGA-09, Clovis Unified School District, Claimant

E. Proposed Statewide Cost Estimates

1. *Presidential Primaries 2000*, 99-TC-04, County of Tuolumne, Claimant.
2. *Comprehensive School Safety Plans*, 98-TC-01/99-TC-10, Kern High School District, Claimant.
3. *Standards-Based Accountability*, 98-TC-10, San Diego Unified School District, Claimant.