

ITEM 15

EXECUTIVE DIRECTOR'S REPORT

Commission Workload, Budget, Legislation, and Next Meeting/Hearing

I. WORKLOAD: Pending Caseload

Type of Action	September 15, 2006	July 14, 2006	September 15, 2005
Test Claims to be Heard and Determined	94	102	106
Test Claims to be Reconsidered	1	0	0
Test Claims to be Reconsidered Based on Court Action	0	0	1
Test Claims to be Reconsidered, as Directed by the Legislature	2	0	3
Incorrect Reduction Claims to be Heard and Determined	116	116	86
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	6	Not Available
Proposed Parameters and Guidelines, and Amendments	25	28	32
Parameters and Guidelines to be Amended or Set Aside, as Directed by the Legislature or Court Action	0	1	3
Statewide Cost Estimates to be Adopted	7	7	2
New Test Claim Filings to be Reviewed	0	0	0
New Incorrect Reduction Claim Filings to be Reviewed	0	0	7
Appeals of Executive Director's Decision	0	0	0
Regulatory Actions Pending	1	1	1

II. REPORT TO THE DEPARTMENT OF FINANCE

The CSM is required to submit an annual report on September 15 to the Director of Finance "identifying workload levels and any backlog for the staff of the commission." The first report was submitted on September 15 and includes an overview of pending caseload, and descriptions of pending claims and other matters, by filing date and subject matter.

III. LEGISLATION

Note: The bills described below may be reviewed at leginfo.ca.gov or from the links to “Other Bills” on the Commission’s website: csm.ca.gov.

- A. AB 2652 (Laird) is our sponsored bill to reform the incorrect reduction claim (IRC) process. The bill:
1. Authorizes one claimant to file an IRC that would result in consolidated IRCs on the same program if certain criteria are met.
 2. Authorizes the Commission to consolidate IRCs already on file with the Commission on the same program based on the same criteria as claimant-initiated consolidations.

Status: Signed by the Governor (Stats. 2006, ch. 168)

Next Steps: CSM staff is developing proposed amendments to the regulations to implement this statute. Meetings will be held with interested parties and affected state agencies to review the new statute. The proposed regulatory package will be presented on October 26, 2006.

- B. AB 2176 (Niello) would have revised the process for bills that state they do not impose a reimbursable state mandate because the local agency or school district to which the bill applies has the authority to levy services charges, fees, or assessments sufficient to pay for the new mandate or increased level of service. Specifically, the bill would require the Legislature to specify in the bill whom the charge, fee or assessment may be levied upon.

Status: Held on Suspense File in Senate Appropriations Committee

- C. SB 328 (Cedillo) would have codified a settlement agreement proposed by the California State Association of Counties (CSAC) to reimburse cities and counties for the *Peace Officer Procedural Bill of Rights (POBOR)* mandate.

Status: Held on Suspense File in Assembly Appropriations Committee

IV. TENTATIVE AGENDA FOR NEXT HEARING: OCTOBER 26, 2006

A. Test Claims

1. *Racial Profiling: Law Enforcement Training*, 01-TC-01, County of Sacramento Claimant
2. *Pupil Safety Notices*, 02-TC-13 San Jose Unified School District, Claimant

B. State Controller’s Reevaluation of Reimbursement Claims (Letter dated August 31, 2006)

1. *Graduation Requirements On Remand from the Sacramento County Superior Court, San Diego Unified School District, et al. v. Commission on State Mandates, et al.*, Case Nos. 03CS01401 (Consolidated with Nos. 03CS01568, 03CS01569, 03CS01570, 03CS 01702, 04CS00028)
Claimants:
San Diego Unified School District, Claimant, CSM 4435-I-01, 37
San Jose Unified School District, Claimant, CSM 4435-I-04
Sweetwater Union High School District, CSM 4435-I-05
Castro Valley Unified School District, CSM 4435-I-13, 39

C. Proposed Parameters and Guidelines

1. Domestic Violence Arrests and Victims Assistance, 98-TC-14
County of Los Angeles, Claimant
2. *Missing Children Reports*, 01-TC-09 and
Request to Consolidate *Missing Children Reports* and *Law Enforcement Agency
Notifications* Parameters and Guidelines, 04-PGA-03
San Jose Unified School District, Requestor
3. *Handicapped and Disabled Students I and II, and Seriously Emotionally Disturbed
(SED) Pupils: Out of State Mental Health Services: Proposed Consolidation of
Parameters and Guidelines*, 04-RL-4282-10, 02-TC-40/02-TC-49, and 97-TC-05
4. *Handicapped and Disabled Students: Proposed Amendments to Parameters and
Guidelines*, 00-PGA-03 and 00-PGA-04
Counties of Los Angeles and Stanislaus, Requestors
5. Department of Finance's Requests to Amend Peace Officer Programs to Delete
School Districts as Eligible Claimants:
 - *Health Benefits for Survivors of Peace Officers and Firefighters*,
05-PGA-06
 - *Sex Offenders: Disclosure by Law Enforcement Officers*, 05-PGA-09
 - *Law Enforcement College Jurisdiction*, 05-PGA-10

D. Proposed Statewide Cost Estimates

1. *Integrated Waste Management*, 00-TC-07
Santa Monica and Lake Tahoe Community College Districts, Claimants

E. Notice of Regulatory Action – Implementation of Statutes 2006, chapter 168
(AB 2652, Laird) Proposed Amendments to Article 5. Incorrect Reduction Claims