

**COMMISSION ON STATE MANDATES**

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January 9, 1996

Mr. E. Dotson Wilson  
Chief Clerk of the Assembly  
California State Legislature  
State Capitol, Room 3196  
Sacramento, California 95814

Dear Mr. Wilson:

Enclosed is the Commission on State Mandates' report to the Legislature on approved mandate claims for July 1 through December 31, 1995, as required by section 17600 of the Government Code. This section provides that at least twice each calendar year the Commission shall report to the Legislature on the number of mandates it has found, the estimated statewide cost of each mandate, and the reasons for recommending reimbursement.

If you have questions regarding this report you may contact me at (916) 323-3562.

Sincerely,

A handwritten signature in cursive script that reads "Kirk Stewart".

KIRK STEWART  
Executive Director  
Commission on State Mandates

Enclosure

cc:w/encl:

Honorable Patrick Johnston, Chairperson, Senate Appropriations Committee  
Honorable Mike Thompson, Chairperson, Senate Budget and Fiscal Review Committee  
Honorable Charles Poochigian, Chairperson, Assembly Appropriations Committee  
Honorable Louis Caldera, Chairperson, Assembly Budget Committee  
Honorable, Alfred E. Alquist Chairperson, Joint Legislative Budget Committee  
Mr. Sam Obregon, Consultant, Joint Legislative Budget Committee  
Ms. Elizabeth G.Hill Legislative Analyst  
Mr. Kevin Sloat, Legislative Secretary, Governor's Office

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## INTRODUCTION

Section 17600 of the Government Code requires the Commission on State Mandates (Commission) to report to the Legislature at least twice each calendar year on the number of mandates it has found, the estimated statewide costs of each mandate, and the reasons for recommending reimbursement.

Section 17612, subdivision (a), of the Government Code provides that upon receipt of this report, a local government claims bill shall be introduced in the Legislature. This section further states that, at its introduction, the bill shall provide for an appropriation sufficient to pay the estimated costs of the mandates approved by the Commission.

Section 17612, subdivision (c), of the Government Code specifies that if the Legislature deletes funding for a mandate from a local government claims bill, the local agency or school district may file an action in declaratory relief in the Superior Court of the County of Sacramento to declare the mandate unenforceable and enjoin its enforcement.

The following pages contain summaries of two mandate findings for the period from July 1, 1995, through December 31, 1995. These include justification for findings and explanation of the reimbursable cost areas.

## MANDATE SUMMARY

Revenue and Taxation Code Sections 97, 97.01,  
97.02, 97.03, 97.035, 97.5, 98 and 99

As Added and Amended By

Chapter 697, Statutes of 1992, Chapter 699, Statutes of 1992,  
Chapter 700, Statutes of 1992, Chapter 899, Statutes of 1992,  
Chapter 1369, Statutes of 1992, Chapter 66, Statutes of 1993,  
Chapter 68, Statutes of 1993, Chapter 904, Statutes of 1993,  
Chapter 905, Statutes of 1993, Chapter 1279, Statutes of 1993

***Allocation of Property Tax Revenues: ERAF***

### Eligible Claimants

Counties

### Basis For Mandate

On July 21, 1994, the Commission on State Mandates determined that Revenue and Taxation Code Sections 97, 97.01, 97.02, 97.03, 97.035, 97.5, 98, and 99, as added and amended by Chapter 697, Statutes of 1992; Chapter 699, Statutes of 1992; Chapter 700, Statutes of 1992; Chapter 899, Statutes of 1992; Chapter 1369, Statutes of 1992; Chapter 66, Statutes of 1993; Chapter 68, Statutes of 1993; Chapter 904, Statutes of 1993; Chapter 905, Statutes of 1993; and Chapter 1279, Statutes of 1993 constitute a reimbursable state mandate.

The provisions of Revenue and Taxation Code Sections 97, 97.01, 97.02, 97.03, 97.035, 97.5, 98, and 99, require counties to plan, implement, report, distribute administer and account for new property tax revenue allocations to school districts, without authority to charge schools districts for associated administrative costs.

### Statewide Cost Estimate

The Commission adopted a statewide cost estimate of \$2,659,000 for fiscal years 1992-93 through 1995-96. The fiscal year 1996-97 estimated cost of \$335,000 is also proposed for inclusion in the 1996 Claims Bill (SB 1329), bringing the total appropriation to \$2,994,000 (rounded).

The following is a fiscal year breakdown of the statewide costs:

<u>Fiscal Year</u>	<u>Amount</u>
1992-1993	\$ 1,024,371
1993-94	985,370
1994-95	324,826
1995-96	324,826
<u>1996-97</u>	<u>335,000</u>
TOTAL	<u>\$2,994,000 (R)</u>

## MANDATE SUMMARY

Health and Safety Code Sections 324.2 and 324.3

Chapter 1208, Statutes of 1976

Chapter 373, Statutes of 1991

Chapter 759, Statutes of 1992

### *Pupil Health Screenings*

#### Eligible Claimants

School districts and county offices of education with kindergarten or first-grade pupils.

#### Basis For Mandate

On April 26, 1994, the Commission on State Mandates determined that Health and Safety Code Sections 324.2 and 324.3, as added and amended by Chapter 1208, Statutes of 1976, Chapter 373, Statutes of 1991 and Chapter 759, Statutes of 1992, constitute a reimbursable state mandate.

The Commission concluded that this notification and compliance procedure is a new program or a higher level of service in an existing program imposed upon school districts and county offices of education with kindergarten or first-grade pupils to perform the following: 1) notify the parents or guardians of enrolled kindergarten and first-grade pupils of the availability of Child Health and Disability Prevention (CHDP) Program services; 2) obtain compliance by the parent or guardian of first-grade pupils with the requirements of Health and Safety Code section 323.5; 3) exclude first-grade pupils not otherwise eligible for exemption from exclusion for up to five days if the pupil's parent or guardian fails to provide a health screening certificate or waiver; and 4) report compliance results and statistics to other government agencies.

#### Statewide Cost Estimate

The Commission adopted a statewide cost estimate of \$6,119,000 for fiscal years 1992-93 through 1995-96. The fiscal year 1996-97 estimated cost of \$1,445,000 is also proposed for inclusion in the 1996 Claims Bill (SB 1329), bringing the total appropriation to \$7,564,000 (rounded).

The following is a fiscal year breakdown of the statewide costs:

<u>Fiscal Year</u>	<u>Amount</u>
1992-93	\$ 1,576,040
1993-94	1,528,550
1994-95	1,611,759
1995-96	1,403,000
<u>1996-97</u>	<u>1,445,000</u>
 TOTAL	 <u>\$7,564,000 (R)</u>

## FISCAL SUMMARY

### Claims Bill Funds Request\*

Revenue and Taxation Code Sections 97, 97.01, 97.02, 97.03 97.03, 97.035, 97.5, 98, and 99 Chapter 697, Statutes of 1992 Chapter 699, Statutes of 1992 Chapter 700, Statutes of 1992 Chapter 899, Statutes of 1992 Chapter 1369, Statutes of 1992 Chapter 66, Statutes of 1993 Chapter 68, Statutes of 1993 Chapter 904, Statutes of 1993 Chapter 905, Statutes of 1993 Chapter 1279, Statutes of 1993	Allocation of Property Tax Revenues: ERAF . . . . .	\$2,994,000 (R)
Health and Safety Code Sections 324.2 and 324.3 Chapter 1208, Statutes of 1976 Chapter 373, Statutes of 1991 Chapter 759, Statutes of 1992	Pupil Health Screenings . . . . .	\$7,564,000 (R) [\$6,119,000 of this amount already is included in SB 1329, the 1996 Claims bill.]
<b>TOTAL for July 1 through December 31, 1995 Report</b>		<b><u>\$10,558,000 (R)</u></b>

In addition, two previously reported approved mandates are currently included in SB 1329; one has been revised to include fiscal year 1996-97 costs:

Health and Safety Code Section 10901 (a), (b) and (c) Chapter 1603, Statutes of 1990	Perinatal Services . . . . .	\$12,728,00 (R) [\$10,558,000 of this amount already is included in SB 1329 for costs through 1995-96.]
Health and Safety Code Section 462 Chapter 268, Statutes of 1991	SIDS Contacts by Local Health Officers . . . . .	\$150,000 (R) [Only costs for 1995-96 were requested. This amount was inadvertently omitted from the Budget Act of 1995.]
<b>TOTAL for prior Reports</b>		<b>\$12,878,000 (R)</b>
<b>CURRENT TOTAL for 1996 Claims Bill (SB 1329)</b>		<b>\$23,436,000 (R)</b>

\*No funds noted are payable from the State Mandates Claims Fund