

REPORT TO THE
CALIFORNIA LEGISLATURE
ON APPROVED MANDATE CLAIMS
DECEMBER 1987

COMMISSION ON STATE MANDATES

Jesse R. Huff, Chairman
Huston T. Carlyle, Jr., Member
Robert C. Creighton, Member
Gray Davis, Member
Elizabeth Whitney, Member

Robert W. Eich
Executive Director

COMMISSION ON STATE MANDATES

1130 K STREET, SUITE 1150
SACRAMENTO, CA 95814
(916) 323-3562



December 15, 1987

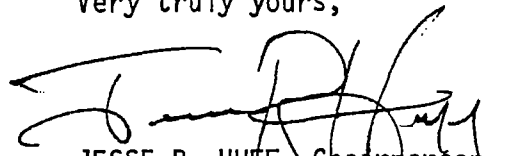
Mr. Darryl R. White
Secretary of the Senate
California State Legislature
State Capitol, Room 3044
Sacramento, CA 95814

Dear Mr. White:

Enclosed is the Commission on State Mandates' Report to the Legislature for December 1987 as required by Section 17600 of the Government Code. This section provides, in part, 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 any questions regarding this report, please contact Robert Eich, Executive Director of the Commission on State Mandates, at 323-3562.

Very truly yours,



JESSE R. HUFF, Chairperson
Commission on State Mandates

Enclosure

cc: Honorable John Vasconcellos, Chairperson, Assembly Ways and Means Committee
Honorable Robert Presley, Chairperson, Senate Appropriations Committee
Honorable Alfred E. Alquist, Chairperson, Senate Budget and
Fiscal Review Committee
Honorable William Campbell, Chairperson, Joint Legislative
Budget Committee
Ms. Elizabeth Hill, Legislative Analyst
Mr. Allan Zaremborg, Legislative Secretary, Governor's Office

0136s

COMMISSION ON STATE MANDATES

1130 K STREET, SUITE LL50
SACRAMENTO, CA 95814
(916) 323-3562



December 15, 1987

Mr. R. Brian Kidney
Acting Chief Clerk of the Assembly
California State Legislature
State Capitol, Room 3194
Sacramento, CA 95814

Dear Mr. Kidney:

Enclosed is the Commission on State Mandates' Report to the Legislature for December 1987 as required by Section 17600 of the Government Code. This section provides, in part, 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 any questions regarding this report, please contact Robert Eich, Executive Director of the Commission on State Mandates, at 323-3562.

Very truly yours,

A handwritten signature in black ink, appearing to read "JRH 71".

JESSE R. HUFF, Chairperson
Commission on State Mandates

Enclosure

cc: Honorable John Vasconcellos, Chairperson, Assembly Ways and Means Committee
Honorable Robert Presley, Chairperson, Senate Appropriations Committee
Honorable Alfred E. Alquist, Chairperson, Senate Budget and
Fiscal Review Committee
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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(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(b) 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 five mandate findings including the justification for finding a mandate and the reimbursable cost areas. However, funding is not being requested for Chapter 1042, Statutes of 1985, Election Materials, because this bill contained language in Section 3, which stated that if the statute imposed costs mandated by the state, then reimbursement for those costs shall be paid from the State Mandates Claims Fund if the statewide cost of the claim does not exceed five hundred thousand dollars (\$500,000). After conducting a statewide cost estimate survey, the commission estimated that the statewide cost of implementing this statute would not exceed five hundred thousand dollars. Therefore, in accordance with the provisions of Government Code Section 17610 the costs of this mandate shall be paid from the State Mandates Claims Fund, and no appropriation is being requested in this report.

Chapter 1609, Statutes of 1984
Chapter 668, Statutes of 1985
Domestic Violence

Eligible Claimants

All Local Governmental law enforcement agencies.

Basis for Mandate

Chapter 1609, Statutes of 1984 added Chapters 1 through 5, and non-consecutive Sections 13700 through 13731 to the California Penal Code. These sections require all law enforcement agencies in the state to develop, adopt and implement written policies and standards for officers' response to domestic violence calls by January 1, 1986. Existing local policies and those developed must be in writing and available to the public upon request and must include specific standards for a range of related activities.

Chapter 1609, Statutes of 1984 also requires law enforcement agencies to develop an incident report form and maintain records of all protection orders with respect to domestic violence incidents. This is required to be available for the information of and use by law enforcement officers responding to domestic violence related calls for assistance and to provide information about such calls to the Attorney General on a monthly basis.

Statewide Cost Estimate

The Commission on State Mandates adopted a statewide cost estimate of \$20,777,000 for the 1985-86 through 1988-89 fiscal years.

Following is a fiscal year breakdown of statewide costs:

<u>Fiscal Year</u>	<u>Amount</u>
1985-86	\$ 4,687,421
1986-87	5,105,465
1987-88	5,490,716
1988-89	<u>5,493,042</u>
Total	\$20,777,000 (R)

FISCAL SUMMARY

A. Appropriation Request

- | | |
|---|-------------------|
| 1. Chapter 1, Statutes of 1984, 2nd E.S.
<u>Health Fee Elimination</u> | \$41,018,000 |
| 2. Chapter 498, Statutes of 1983
<u>Certification of Teacher Evaluator's
Demonstrated Competence</u> | 6,000,000 |
| 3. Chapter 913, Statutes of 1979
Chapter 1158, Statutes of 1980
<u>Domestic Violence Diversion</u> | 6,470,000 |
| 4. Chapter 1609, Statutes of 1984
Chapter 668, Statutes of 1985
<u>Domestic Violence</u> | <u>20,777,000</u> |

TOTAL \$74,265,000

B. Funded through the State Mandates Claims Fund.

- | | |
|--|-----------|
| 1. Chapter 1042, Statutes of 1985
<u>Election Materials</u> | \$112,000 |
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