

REPORT TO THE  
CALIFORNIA LEGISLATURE

JULY 1985

COMMISSION ON STATE MANDATES

Jesse R. Huff, Chairman  
Peter Pelkofer, Member  
Thomas Aceituno, Member  
Huston T. Carlyle, Jr., Member  
Robert C. Creighton, Member

Executive Director  
Robert W. Eich

## COMMISSION ON STATE MANDATES

25 P STREET, ROOM 177  
SACRAMENTO, CA 95814  
(916) 323-3562



September 11, 1985

Darryl R. White  
Secretary of the Senate  
California State Legislature  
State Capitol, Room 3045  
Sacramento, CA 95814

Dear Mr. White:

Enclosed is the Commission on State Mandates' Report to the Legislature as required by section 17600 of the Government Code. This section provides, in part, that at least twice each calendar year the Commission on State Mandates 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.

Sincerely,

  
JESSE R. HUFF, Chairperson  
Commission on State Mandates

JRH:RWE:jb:0291A

Enclosure

cc: Chairperson, Assembly Ways and Means Committee  
Chairperson, Senate Appropriations Committee  
Chairperson, Senate Budget and Fiscal Review Committee  
Chairperson, Joint Legislative Budget Committee (14 copies)  
Department of Finance  
Legislative Analyst's Office  
Governor's Legislative Secretary

## COMMISSION ON STATE MANDATES

225 P STREET, ROOM 177  
ACRAMENTO, CA 95814  
(916) 323-3562



September 11, 1985

James Driscoll  
Chief Clerk of the Assembly  
California State Legislature  
State Capitol, Room 3194  
Sacramento, CA 95814

Dear Mr. Driscoll:

Enclosed is the Commission on State Mandates' Report to the Legislature as required by section 17600 of the Government Code. This section provides, in part, that at least twice each calendar year the Commission on State Mandates 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.

Sincerely,

  
JESSE R. HUFF, Chairperson  
Commission on State Mandates

JRH:RWE:jb:0291A

Enclosure

cc: Chairperson, Assembly Ways and Means Committee  
Chairperson, Senate Appropriations Committee  
Chairperson, Senate Budget and Fiscal Review Committee  
Chairperson, Joint Legislative Budget Committee (14 copies)  
Department of Finance  
Legislative Analyst's Office  
Governor's Legislative Secretary

## TABLE OF CONTENTS

	<u>Page</u>
Introduction	1
I. Mandate Summaries:	
- Chapter 1255, Statutes of 1980 (Job Order Records)	2
- Title 8, CAC, Section 3401(c) (Personal Alarm Devices)	3
Fiscal Summary	3

## INTRODUCTION

This is the first Report to the Legislature from the Commission on State Mandates (commission). The commission was created on January 1, 1985 by Chapter 1459, Statutes of 1984. It replaced the Board of Control's function related to determining state mandate issues.

Section 17600 of the Government Code requires the 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 from a local government claims bill funding for a mandate, the local agency or school district may file in the Superior Court of the County of Sacramento an action in declaratory relief to declare the mandate unenforceable and enjoin its enforcement.

In addition, Section 2239(b) of the Revenue and Taxation Code (RTC) requires that all claims for state reimbursement which have not been included in a local government claims bill pursuant to RTC section 2255 enacted before January 1, 1985 shall be transferred to the commission. Consequently, mandates approved by the Board of Control but not placed in a claims bill prior to January 1, 1985 were transferred to the commission. The commission has since finalized the claims, without reconsidering the basis for the Board of Control finding, and prepared this Report to the Legislature.

The following pages contain summaries of two Board of Control mandate findings. Included in these summaries are the justification for finding a mandate, reimbursable cost areas, the commission's recommended appropriation for the mandate, and recommendations of affected state agencies on the question of a mandate.

Chapter 1255, Statutes of 1980  
Job Order Records

Eligible Claimants: School Districts and Community College Districts

Basis for Mandate:

The Board of Control determined that Chapter 1255, Statutes of 1980 mandated an increased level of service. This statute required for the first time that school districts and community college districts maintain job orders or similar records indicating the total costs expended on day labor or force account projects for at least three years after project completion.

Statewide Cost Estimate:

The commission adopted a statewide cost estimate of \$7,237,000 for 1980-81 through 1985-86 fiscal years. This estimate is for costs resulting from the preparation of job order records, logging of job order activity and costing out, record keeping, storage and filing of job orders, development of computer programs, and supplies.

The following is a fiscal year breakdown of statewide costs:

<u>Fiscal Year</u>	<u>Amount</u>
1980-81	\$1,108,000
1981-82	1,196,000
1982-83	1,296,000
1983-84	1,390,000
1984-85	1,479,000
1985-86	<u>1,572,000</u>
Subtotal	\$8,041,000
Minus	- 804,000 (Offsetting Savings 10% of costs)
Total	<u>\$7,237,000</u>

The commission recommends that the Legislature appropriate this amount to the State Controller.

Prior Legislative Action:

A request for funding of the mandated costs contained in Chapter 1255, Statutes of 1980 was submitted to the Legislature in the Board of Control's January 1983 Report to the Legislature. After reviewing the item, the Legislature directed the Board, in Chapter 96, Statutes of 1984, to amend the parameters and guidelines for Chapter 1255, Statutes of 1980. This amendment required the parameters and guidelines to "identify the savings as a result of schools having fewer items that must go through the competitive bid process".

On August 23, 1984, the board adopted an amendment that added an "Offsetting Savings" section to the parameters and guidelines for Chapter 1255, Statutes of 1980.

Title 8, CAC, Section 3401(c)  
Personal Alarm Devices

Eligible Claimants: All Local Agencies

Basis for Mandate:

The Board of Control determined that Title 8, CAC, Section 3401(c) constituted a state mandate because the personal safety alarm requirement:

1. Was a new requirement that increased program service levels;
2. Required the claimant to incur increased costs; and
3. Was not a federal requirement, as no similar federal requirement had previously been established.

Statewide Cost Estimate:

The commission adopted a statewide cost estimate of \$1,610,700 for 1982-83 through 1985-86 fiscal years. This estimate is for reimbursement for initial purchases of alarms and replacement costs.

The commission recommends that the Legislature appropriate this amount to the State Controller.

\* \* \* \* \*

Commission on State Mandates 1985 Claims Bill

Fiscal Summary

<u>Mandate</u>	<u>Amount</u>
1. Chapter 1255/80 (Job Order Records)	\$7,237,000
2. Title 8, CAC, Section 3401(c) (Personal Alarm Devices)	<u>\$1,610,700</u>
Total	<u>\$8,847,700</u>