

State Mandate Provisions Included in the 2008-09 State Budget

- \$12,860,000 appropriated for payment of mandate claims for the 2005-06 and 2006-07 fiscal years. A list of the funded and unfunded/suspended mandates is included in the following pages.
- \$85,695,000 appropriated to reimburse counties for the full cost of the February Presidential Primary.
- \$0 appropriated for pre-July 2004 (i.e., pre-Prop 1A) mandates (this repayment has been \$75 million per fiscal year).
- \$69 million in federal IDEA funds, for mental health services for special education children in the 2008-09 fiscal year (AB 3632). This is an upfront payment for a mandated program, not a reimbursement, and expenditures in excess of this disbursement can be collected through the usual mandate process.
- \$104 million, allocated through the Department of Mental Health, for AB 3632 mental health services to special education pupils. Like IDEA, this is an upfront payment for a mandated program, not a reimbursement, and expenditure in excess of this disbursement can be collected through the usual mandate process.
- AB 1389 requires the Commission on State Mandates to revisit its decision (CSM-4509) on the Sexually Violent Predator Program upon a final court decision challenging the constitutionality of subdivision (f) of Section 17556 of the Government Code, which effectively denies mandate reimbursements for Open Meeting Act mandates due to a ballot measure passed later. The courts are likely to make a final decision on that case in the following months, but perhaps not in time for the Commission to fully revisit the issue before the end of the fiscal year.
- A budget trailer bill, AB 1805, would have clarified that placing seriously emotionally disturbed children in out-of-state facilities is permissible and reimbursable, but the Governor vetoed it “because it will allow the open-ended reimbursement of claims, including claims submitted and denied prior to 2006-07.” He said that he would support a bill “that clarifies and narrows state reimbursement for these important services to a specified time period.”

Funded Mandate Name	Code	Funded Mandate Name	Code
Crime Victim Rights	CSM-96-358-01	Domestic Violence Treatment Services	CSM-96-281-01
Threats Against Peace Officers	CSM-96-365-02	Police Officer's Cancer Presumption	CSM-4416
Custody of Minors-Child Abduction and Recovery	CSM-4237	Firefighter's Cancer Presumption	CSM-4081
Stolen Vehicle Notification	CSM-4403	Domestic Violence Arrest Policies	CSM-96-362-02
Absentee Ballots	CSM-3713	Animal Adoption	98-TC-11
Permanent Absent Voters	CSM-4358	Unitary Countywide Tax Rates	CSM-4355 and CSM-4317
Voter Registration Procedures	04-LM-04	Senior Citizens Property Tax Deferral	CSM-4359
Absentee Ballots-Tabulation by Precinct	00-TC-08	Allocation of Property Tax Revenues	CSM-4448
Brendon Maguire Act	CSM-4357	Photographic Record of Evidence	98-TC-07
Medi-Cal Beneficiary Death Notices	CSM-4032	Rape Victim Counseling	CSM-4426
Pacific Beach Safety	CSM-4432	Health Benefits for Survivors of Peace Officers and Firefighters	97-TC-25
Perinatal Services	CSM-4397	Post Mortem Examinations	00-TC-18
AIDS/Search Warrant	CSM-4392	False Reports of Police Misconduct	00-TC-26
Mentally Retarded Defendants Representation	04-LM-12	Crime Victim's Domestic Violence Incident Reports	99-TC-08
Judicial Proceedings	CSM-4366	Peace Officer Personnel Records: Unfounded Complaints and Discovery	00-TC-24
Conservatorship: Developmentally Disabled Adults	04-LM-03	Domestic Violence Arrests and Victims Assistance	98-TC-14
Coroners Costs	04-LM-07	Post Conviction: DNA Court Proceedings	00-TC-21 and 00-TC-08
Not Guilty by Reason of Insanity	CSM-2753	DNA Database and Amendment to Post Mortem Examinations: Unidentified Bodies	00-TC-27 and 02-TC-39
Mentally Disordered Offenders' Extended Commitments Proceedings	98-TC-09	Handicapped and Disabled Students II	02-TC-40 and 02-TC-49
Sexually Violent Predators	CSM-4509	Administrative License Suspension, Per Se	98-TC-16
Mentally Disordered Sex Offenders' Recommitments	04-LM-09	Pesticide Use Reports	CSM-4420

Unfunded Mandate Name	Code	Unfunded Mandate Name	Code
Public Safety Officers Procedural Bill of Rights Act	CSM-4499	SIDS Notices	04-LM-01
Grand Jury Proceedings	98-TC-27	Guardianship/Conservatorship Filings	04-LM-15
Sex Crime Confidentiality	98-TC-21	Victims' Statements-Minors	04-LM-14
Deaf Teletype Equipment	04-LM-11	Extended Commitment, Youth Authority	98-TC-13
Sex Offenders: Disclosure by Law Enforcement Officers	97-TC-15	Prisoner Parental Rights	CSM-4427
Missing Persons Report	CSM-4255, CSM-4484, and CSM-4368	Structural and Wildland Firefighter Safety Clothing and Equipment	CSM-4261-4281
Handicapped Voters Access Information	CSM-4363	Personal Alarm Devices	CSM-4087
Substandard Housing	CSM-4303	Law Enforcement Sexual Harassment Training	97-TC-07
Adult Felony Restitution	04-LM-08	Elder Abuse, Law Enforcement Training	98-TC-12
Very High Fire Hazard Severity Zones	97-TC-13	Redevelopment Agencies Tax Disbursement Reporting	99-TC-06
Local Coastal Plans	CSM-4431	Mandate Reimbursement Process	CSM-4204 and CSM-4485
SIDS Training for Firefighters	CSM-4412	Filipino Employee Surveys	CSM-2142
SIDS Contacts by Local Health Officers	CSM-4424	Domestic Violence Information	CSM-4222
SIDS Autopsies	CSM-4393	Pocket Masks	CSM-4291
Inmate AIDS Testing	CSM-4369	Airport Land Use Commission/Plans	CSM-4507