

AMENDED IN SENATE APRIL 17, 1995

SENATE BILL

No. 1054

Introduced by Senator Solis

February 24, 1995

An act to amend Sections 45183, ~~45271~~ 45253, 45271, 45272, 45273, 45274, ~~45277~~, 45283, ~~45286~~, ~~45287~~, 45290, 45292, 45293, ~~45298~~, and 45300 of, and to repeal Sections 45105.1, 45257, ~~45282~~, ~~45288~~, and ~~45289~~ and 45282 of, the Education Code, relating to school district employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 1054, as amended, Solis. School districts: classified employees.

(1) Existing law provides for the classified service of employees in a school district. Existing law authorizes the governing board of a school district to establish positions as part of the classified service and employ persons in public service employment positions that are funded by the Comprehensive Employment and Training Act (hereafter CETA).

The bill would repeal the provisions authorizing the governing board of a school district to establish and employ persons in positions that are funded by the CETA.

(2) Under existing law pertaining to the classified service of employees in a school district, assignments to duties for which differential compensation is designated, except as specified, are required to be made on the basis of seniority, as specified.

This bill would revise this provision instead, to require assignments of duties to bargaining unit employees to be made on the basis of seniority and would authorize the governing boards of school districts and the exclusive representative of the classified employees, as specified, to waive this seniority requirement.

(3) Existing law requires a personnel commission to prepare its annual budget, hold a public hearing on it, as specified, and submit its proposed budget to the county superintendent of schools for approval. Existing law requires the county superintendent of schools to hold a public hearing, as specified, if he or she proposes to reject the budget as submitted by the commission. Existing law authorizes the county superintendent, after the hearing, to reject the budget or, with the concurrence of the commission, amend it. Existing law requires, in the absence of agreement between the commission and the county superintendent, that the budget of the preceding year determine the amount of the new budget and that the commission determine the items of expenditure.

This bill would require the county superintendent to contract with the Office of Administrative Hearings of the State of California for a public hearing on the proposed rejection of a budget submitted by the personnel commission of a county office of education, thereby imposing a state-mandated local program. The bill would provide that, if the commission or the county superintendent does not accept the findings of the hearing officer, the amount of the new budget is determined by the budget of the preceding year, and the commission determines the items of expenditure. The bill would provide that these procedures apply if an individual serves as both the county superintendent of schools and the superintendent of a school district within the county.

(4) Existing law provides for a merit system for the classified service of employees of a school district under which a personnel commission is required to be appointed. The personnel commission is required to make the classification of employees and positions within the jurisdiction of the governing board of the school district or within the jurisdiction of the personnel commission. Existing law



exempts from classification certain positions, including, positions established for the employment of professional experts on a temporary basis for a specific project by the governing board of the school district or by the commission, as specified. Existing law also specifies that nothing in the classification provisions shall be construed to exclude the employment of architectural and engineering firms employed on a temporary basis, as specified.

This bill would repeal the provision pertaining to the employment of architectural and engineering firms.

(4)

(5) Existing law provides, under the merit system for classified service of employees of a school district, that any employee serving in a certificated position whose position is by virtue of change of law deemed to be in classified service shall become a member of the classified service without examination and with retention of full seniority rights, except as specified.

This bill would add to those persons who shall become part of the classified service without examination an employee whose position is deemed to be in classified service pursuant to an evaluation of the duties of the employees, as specified, *and subject to a specified provision of law*, thereby imposing a state-mandated local program.

(5)

(6) Under existing law relating to the merit system for classified service of employees of a school district, all vacancies in the classified service are required to be filled pursuant to specified provisions and pursuant to the rules of the commission, from applicants on eligibility lists that are made up, in part, from promotional examinations. Under existing law, applicants are to be placed on the eligibility lists in the order of their relative merit as determined by competitive examinations.

This bill would provide, instead, that the commission shall place applicants on the eligibility lists in the order of their relative merit as determined by competitive selection procedures.

(7) Under existing law relating to the merit system for classified service of employees of a school district, where a



structured objective examination is to be administered to the entire field of candidates in an entrance level classification, a single member oral examination may be used.

This bill would instead authorize a single member oral examination to be used where a structured objective examination is to be administered to the entire field of candidates.

~~(6) Under existing law relating to the merit system for classified service of employees of a school district, appointments may be made from other than the first 3 ranks of applicants on an eligibility list when the ability to speak, read, or write a language in addition to English or possession of a valid driver's license is a requirement of the position to be filled.~~

~~This bill would add to that list where a requirement of the position to be filled is possession of stenographic skills.~~

~~(7)~~

(8) Under existing law relating to the merit system for classified service of employees of a school district, a personnel commission is required by rule to provide for an open competitive examination and a promotional examination for certain positions.

This bill would repeal that provision.

~~(8)~~

(9) Under existing law relating to the merit system for classified service of employees of a school district, certain school districts that divide themselves into smaller areas for assignment of classified personnel may establish an eligibility list in an assignment area in which the eligibility list was exhausted even though there are available eligibles in another assignment area. Existing law provides that the life of the new area eligibility list shall be not less than one year and may be extended for up to an additional year.

This bill would instead provide that for the certain school districts that divide themselves into smaller areas for assignment of classified personnel the commission may establish area eligibility lists ~~for each assignment area~~ *in those areas where the district eligibility list is exhausted*. Appointments to positions within the area would be required to be made from the first 3 ranks of persons on the area



eligibility list. The life of the list may be extended up to an additional period of 2 years.

~~(9) Under existing law relating to the merit system for classified service of employees of a school district, whenever the appointing power shall require the appointment of a person to a position of limited duration, the appointing power is required to submit a request in which the probable duration of the appointment is stated.~~

~~This bill would authorize the personnel commission to extend the duration of an appointment based upon a finding of an emergency or any other significant factor based upon criteria established by the commission.~~

~~(10) Under existing law relating to the merit system for classified service of employees of a school district, when no eligibility list exists for a position in the classified service an employee may receive provisional appointments that may accumulate to a total of 90 working days.~~

~~This bill would provide the successive provisional appointments of 90 working days or less may be made if evidence, as specified, is presented to the personnel commission that an adequate recruitment effort is being made and that the position cannot be filled by use of other employment lists or procedures. This bill would make related changes.~~

~~(11)~~

~~(10) Under existing law relating to the merit system for classified service of employees of a school district, the appointing power may, to prevent the stoppage of public business when an actual emergency arises and person on eligibility lists are not immediately available, make an appointment for a period not to exceed 15 working days.~~

~~This bill would extend the time for appointments for a period not to exceed 30 working days.~~

~~(12)~~

~~(11) Existing law relating to the merit system for classified service of employees of a school district authorizes the personnel commission to provide for continuous examination of eligibles for classes of positions that the commission determines cannot be practicably filled by promotional examination only.~~



This bill would instead authorize the commission to provide for continuous examination of eligibles.

~~(13)~~

~~(12)~~ Existing provisions relating to the merit system for classified service of employees of a school district prohibit questions to be asked of applicants or candidates, as specified, relating to political or religious opinions or affiliations, race, color, national origin or ancestry, sex, or marital status.

This bill would include within the prohibition questions relating to sexual orientation or physical or mental disability.

~~(14)~~ Existing law grants the same rights as persons laid off to employees under a merit system for classified service of employees of a school district who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff or to remain in their present positions rather than be reclassified or reassigned. Existing law also provides that employees who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff, shall, at the option of the employee, be returned to a position in their former class or to other specified positions.

This bill would delete the provision granting the same rights to employees who take voluntary demotions or reductions in assigned time as are granted to persons who are laid off. In addition, the bill would require employees who take voluntary demotion or voluntary reductions in assigned time to remain in their present positions rather than be reclassified or reassigned to be returned to a position in their former class or to other positions as specified, thereby imposing a state mandated local program.

~~(15)~~

~~(13)~~ Existing law provides for the establishment of eligibility lists for specified periods and authorizes those lists to be extended for an additional period of one year or less in the discretion of the personnel commission.

This bill would authorize lists to be extended for an additional period of 2 years or less at the discretion of the commission.

~~(16)~~

~~(14)~~ The California Constitution requires the state to reimburse local agencies and school districts for certain costs



mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 45105.1 of the Education Code is
2 repealed.

3 SEC. 2. Section 45183 of the Education Code is
4 amended to read:

5 45183. (a) Assignment ~~to~~ *duties of duties to*
6 *bargaining unit employees* for which differential
7 compensation is designated, other than a temporary
8 assignment of less than 20 working days, shall be made on
9 the basis of seniority among those employees within the
10 appropriate class who request such an assignment.

11 (b) This section may be waived by agreement
12 between the governing board of a school district and the
13 exclusive representative of the unit of classified
14 employees to be affected by the waiver.

15 SEC. 3. *Section 45253 of the Education Code is*
16 *amended to read:*

17 45253. (a) The commission shall prepare an annual
18 budget for its own office which, upon the approval of the
19 county superintendent of schools, shall be included by the
20 governing board in the regular budget of the school
21 district. The annual budget of the commission may
22 include amounts for the purposes of Section 45255.

23 (b) The budget shall be prepared for a public hearing
24 by the commission to be held not later than May 30 of each
25 year, or at a date agreed upon between the governing



1 board and the personnel commission to coincide with the
2 process of adoption of the school district budget. The
3 commission shall forward a copy of its proposed budget
4 to the governing board indicating the time, date and
5 place for the public hearing of the budget and shall invite
6 board and district administration representatives to
7 attend and present their views. The commission shall
8 fully consider the views of the governing board prior to
9 adoption of its proposed budget. The commission shall
10 then forward its proposed budget to the county
11 superintendent of schools for action.

12 (c) If the county superintendent of schools proposes to
13 reject the budget as submitted by the commission of a
14 school district, he or she shall, within 30 days after the
15 commission's submission of the budget, hold a public
16 hearing on the proposed rejection within the affected
17 district. He or she shall have informed both the
18 commission and the governing board of the date, time
19 and place of the hearing. He or she may after the public
20 hearing either reject, or, with the concurrence of the
21 commission, amend the proposed budget. In the absence
22 of agreement between the personnel commission and the
23 county superintendent, the budget of the preceding year
24 shall determine the amount of the new budget, and the
25 items of expenditure shall be determined by the
26 commission.

27 (d) *If the county superintendent of schools proposes to*
28 *reject the budget as submitted by the personnel*
29 *commission of a county office of education, the county*
30 *superintendent shall contract with the Office of*
31 *Administrative Hearings of the State of California for a*
32 *public hearing on the proposed rejection. The Office of*
33 *Administrative Hearings shall render findings on the*
34 *proposed budget. If the commission or the county*
35 *superintendent does not accept these findings, the*
36 *budget of the preceding year shall determine the amount*
37 *of the new budget, and the items of expenditure shall be*
38 *determined by the commission.*

39 (e) *The procedures of subdivision (d) apply if an*
40 *individual serves as both the county superintendent of*



1 *schools and the superintendent of a school district within*
2 *the county.*

3 *SEC. 4.* Section 45257 of the Education Code is
4 repealed.

5 ~~SEC. 4.~~

6 *SEC. 5.* Section 45271 of the Education Code is
7 amended to read:

8 45271. Any employee serving in a certificated position
9 whose position is by virtue of change of law or based upon
10 an evaluation made pursuant to subdivision (a) of Section
11 44065 of the duties of the employee *and subject to Section*
12 *48285 shall be* deemed to be in the classified service shall
13 without examination become a member of the classified
14 service in accordance with the terms of Sections 45269
15 and 45270. Full seniority rights shall be retained, except
16 that no seniority credit shall be allowed by virtue of
17 previous certificated service in case of layoff for lack of
18 funds or lack of work.

19 Any employee serving in a classified position whose
20 position is by virtue of change of law deemed to be in the
21 certificated service shall without examination become an
22 employee of the certificated service and shall be deemed
23 to have the necessary certification qualifications for such
24 position. Full seniority rights will be retained, except that
25 no seniority credit will be allowed by virtue of previous
26 classified service in case of layoff for lack of funds or lack
27 of work. Any such person who has been continuously
28 employed in a regular position in the classified service for
29 the length of time necessary to acquire permanency as a
30 certificated employee shall be deemed to be a permanent
31 certificated employee of the district. Any such person
32 serving in a regular position in the classified service for an
33 amount of time less than that deemed to be necessary to
34 acquire permanency as a certificated employee shall be
35 a certificated probationary employee of the district. That
36 regular classified service shall be considered as
37 probationary service toward the attainment of
38 permanency by a certificated employee of the district.

39 ~~SEC. 5.~~



1 SEC. 6. Section 45272 of the Education Code is
2 amended to read:

3 45272. (a) All vacancies in the classified service shall
4 be filled pursuant to this article and the rules of the
5 commission, from applicants on eligibility lists which,
6 wherever practicable, as determined by the commission,
7 shall be made up from promotional examinations, or
8 appointments may be made by means of transfer,
9 demotion, reinstatement, and reemployment in
10 accordance with the rules of the commission. All
11 applicants for promotional examinations shall have the
12 required amount of service in classes designated by the
13 commission or meet the minimum qualifications of
14 education, training, experience, and length of service,
15 which shall be determined by the commission to be
16 appropriate for the class for which they have applied. Any
17 promotional applicant who has served the required
18 amount of time in a designated class or who meets the
19 minimum qualifications for admission to a promotional
20 examination shall be admitted to the examination.
21 ~~Applicants shall be placed~~ *The commission shall place*
22 *applicants* on the eligibility lists in the order of their
23 relative merit as determined by competitive
24 ~~examinations~~ *selection procedures*. The final scores of
25 candidates shall be rounded to the nearest whole percent
26 for all eligibles. All eligibles with the same percentage
27 score will be considered as having the same rank.
28 Appointments shall be made from the eligibles having the
29 first three ranks on the list who are ready and willing to
30 accept the position.

31 (b) Upon the request of a majority of the members of
32 the governing board of a district, the commission may
33 exempt one or more executive secretarial positions from
34 the requirements of this section. Exemptions authorized
35 under this subdivision shall be limited to executive
36 secretarial positions reporting directly to members of the
37 governing board, the district superintendent, or or not
38 more than four principal deputies of the district
39 superintendent, or all of these positions.



1 Any person employed in an exempt executive
2 secretarial position shall continue to be afforded all of the
3 rights, benefits, and burdens of any other classified
4 employee serving in the regular service of the district,
5 except he or she shall not attain permanent status in an
6 executive secretarial position. Positions of executive
7 secretary shall be filled from an unranked list of eligible
8 employees who have been found to be qualified for the
9 positions as specified by the district superintendent and
10 determined by the personnel commission. Any person
11 whose services in an executive secretarial position are
12 discontinued for a cause other than a cause for
13 disciplinary action specified in this code or in a rule of the
14 commission shall have the right to return to a position in
15 a classification he or she previously occupied or, if that
16 classification no longer exists, in a similar classification, as
17 determined by the commission.

18 Nothing contained in this section shall authorize the
19 selection of eligible candidates in circumvention of the
20 affirmative action programs of any school district.

21 *SEC. 7.* Section 45273 of the Education Code is
22 amended to read:

23 45273. Examinations shall be administered
24 objectively, and shall consist of test parts that relate to job
25 performance.

26 For classes of positions deemed by the commission to
27 require an oral examination, the oral examination board
28 shall include at least two members. Where a structured
29 objective examination is to be administered to the entire
30 field of candidates, a single member oral examination
31 board may be utilized. A “structured objective
32 examination” means, for this purpose, an examination for
33 which the examiner exercises no discretion in the
34 selection of the questions or in the evaluation of the
35 answers.

36 Unless specifically directed to evaluate candidates’
37 technical knowledge and skills, the oral examination
38 board shall confine itself to evaluating general fitness for
39 employment in the class. When the oral examination
40 board is directed to evaluate technical knowledge and



1 skills, at least two members of the board shall be
2 technically qualified in the specified occupational area.
3 Members of the governing board or personnel
4 commission shall not serve on an oral examination board.
5 A district employee may serve on an oral examination
6 board if he or she is not at the first or second level of
7 supervision over a vacant position in the class for which
8 the examination is held.

9 The personnel commission shall provide for the
10 proceedings of all oral examinations to be electronically
11 recorded. In no case will an oral examination board be
12 provided with confidential references on employees of
13 the district who are competing in promotional
14 examinations. Scores achieved by the candidate on other
15 parts of the examination shall not be made available to the
16 oral examination board.

17 ~~SEC. 6.~~

18 *SEC. 8.* Section 45274 of the Education Code is
19 amended to read:

20 45274. Examination records, including any recordings
21 and the rating sheet of each member of the oral board for
22 each candidate, shall be retained by the personnel
23 commission for a period of not less than 90 days after
24 promulgation of an eligibility list. The commission shall
25 prescribe procedures whereby candidates may review
26 and protest any part of an examination. In promotional
27 examinations for classes for which continuous
28 examination procedures have not been authorized, the
29 review and protest period shall be held prior to regular
30 appointment from the eligibility list. Examination
31 records shall not be available to the public or to any
32 person for any purpose not directly connected with the
33 examination and shall be considered confidential but
34 shall, within reasonable time limits, be made available to
35 a candidate or his or her representative.

36 ~~SEC. 7. Section 45277 of the Education Code is~~
37 ~~amended to read:~~

38 ~~45277. Appointments may be made from other than~~
39 ~~the first three ranks of applicants on the eligibility list~~
40 ~~when the ability to speak, read, or write a language in~~



1 addition to English , possession of a valid driver's license,
2 or possession of stenographic skills is a requirement of the
3 position to be filled. The recruitment bulletin
4 announcing the examination shall indicate the special
5 requirements which may be necessary for filling one or
6 more of the positions in the class. Where such a position
7 is to be filled, using the authority of this section, the
8 appointment shall be made from among the highest three
9 ranks of applicants on the appropriate eligibility list who
10 meet the special requirements and who are ready and
11 willing to accept the position.

12 If there are insufficient applicants who meet the special
13 requirements, an employee who meets the special
14 requirements may receive provisional appointments
15 which may accumulate to a total of 90 working days.
16 Successive provisional appointments of 90 working days
17 or less each may be made in the absence of an appropriate
18 eligibility list containing applicants who meet the special
19 requirements if the personnel commission finds that the
20 requirements of subdivisions (a) and (b) of Section 45288
21 have been met. These appointments may continue for the
22 period of the provisional appointment, but may not be
23 additionally extended if certification can later be made
24 from an appropriate eligibility list.

25 ~~SEC. 8.~~

26 ~~SEC. 9.~~ Section 45282 of the Education Code is
27 repealed.

28 ~~SEC. 9.~~

29 ~~SEC. 10.~~ Section 45283 of the Education Code is
30 amended to read:

31 45283. In any school district that has geographical
32 boundaries encompassing more than 200 square miles
33 and that divides the area it serves into smaller areas for
34 assignment of classified personnel, the personnel
35 commission may establish area eligibility lists for each
36 ~~assignment area~~ *in those areas where the district*
37 *eligibility list is exhausted.* Appointments to positions
38 within the area shall be made from the first three ranks
39 of persons on the area eligibility list, as determined by the
40 commission, who are ready and willing to accept the



1 position. The life of the new area eligibility list shall be not
2 less than one year. The life of the list may be extended for
3 up to an additional period of two years at the discretion
4 of the commission. Seniority for the purpose specified in
5 Section 45308 shall continue to be districtwide.

6 ~~SEC. 10. Section 45286 of the Education Code is~~
7 ~~amended to read:~~

8 ~~45286. (a) Whenever the appointing power shall~~
9 ~~require the appointment of a person to a position, the~~
10 ~~duration of which is not to exceed six months, or, in case~~
11 ~~of an appointment in lieu of an absent employee, is not to~~
12 ~~exceed the authorized absence of said employee, he or~~
13 ~~she shall submit a request in which the probable duration~~
14 ~~of the appointment is stated. Eligibles shall be certified in~~
15 ~~accordance with their position on the appropriate~~
16 ~~employment list and their willingness to accept~~
17 ~~appointment to the position as limited-term employees.~~
18 ~~Limited-term employees shall be subject to any~~
19 ~~conditions affecting status and tenure during and after~~
20 ~~their employment as the commission may by rule~~
21 ~~determine.~~

22 ~~(b) Notwithstanding subdivision (a), the commission~~
23 ~~may extend the duration of an appointment as specified~~
24 ~~in subdivision (a) based upon a finding of an emergency~~
25 ~~or any other significant factor based upon criteria~~
26 ~~established by the commission.~~

27 ~~SEC. 11. Section 45287 of the Education Code is~~
28 ~~amended to read:~~

29 ~~45287. When no eligibility list exists for a position in~~
30 ~~the classified service, an employee may receive~~
31 ~~provisional appointments that may accumulate to a total~~
32 ~~of 90 working days. Successive provisional appointments~~
33 ~~of 90 working days or less each may be made if satisfactory~~
34 ~~evidence is presented to the personnel commission that~~
35 ~~an adequate recruitment effort is being made and that~~
36 ~~the position cannot be filled by use of other employment~~
37 ~~lists or procedures. A successive provisional appointment~~
38 ~~may continue for the length of time for which it was~~
39 ~~made, but may not be extended if a certification can be~~
40 ~~made from an appropriate eligibility list.~~



1 ~~SEC. 12. Section 45288 of the Education Code is~~
2 ~~repealed.~~

3 ~~SEC. 13. Section 45289 of the Education Code is~~
4 ~~repealed.~~

5 ~~SEC. 14.~~

6 *SEC. 11.* Section 45290 of the Education Code is
7 amended to read:

8 45290. The appointing power may, to prevent the
9 stoppage of public business when an actual emergency
10 arises and persons on eligibility lists are not immediately
11 available, make appointments for a period not to exceed
12 ~~90~~ 30 working days, in accordance with commission rule.

13 ~~SEC. 15.~~

14 *SEC. 12.* Section 45292 of the Education Code is
15 amended to read:

16 45292. The commission may provide for the
17 continuous examination of eligibles.

18 ~~SEC. 16.~~

19 *SEC. 13.* Section 45293 of the Education Code is
20 amended to read:

21 45293. No questions relating to political or religious
22 opinions or affiliations, race, color, national origin or
23 ancestry, sex, sexual orientation, physical or mental
24 disability, or marital status shall be asked of any applicant,
25 or any candidate whose name has been certified for
26 appointment, nor shall any discrimination be exercised
27 therefor.

28 ~~SEC. 17. Section 45298 of the Education Code is~~
29 ~~amended to read:~~

30 ~~45298. Persons laid off because of lack of work or lack~~
31 ~~of funds are eligible to reemployment for a period of 39~~
32 ~~months and shall be reemployed in preference to new~~
33 ~~applicants. In addition, such persons laid off have the~~
34 ~~right to participate in promotional examinations within~~
35 ~~the district during the period of 39 months.~~

36 ~~Employees who take voluntary demotions or voluntary~~
37 ~~reductions in assigned time in lieu of layoff or to remain~~
38 ~~in their present positions rather than be reclassified or~~
39 ~~reassigned shall be, at the option of the employee,~~
40 ~~returned to a position in their former class or to positions~~



1 ~~with increased assigned time as vacancies become~~
2 ~~available, and without limitation of time, but if there is a~~
3 ~~valid reemployment list they shall be ranked on that list~~
4 ~~in accordance with their proper seniority.~~

5 ~~SEC. 18.~~

6 *SEC. 14.* Section 45300 of the Education Code is
7 amended to read:

8 45300. Eligibility lists shall be established for a period
9 of not less than one year except that when a list is
10 exhausted for appointments to current vacancies,
11 through use and eligibles being unavailable, the
12 commission may, upon the recommendation of the
13 officer charged with certifying eligibles, and after due
14 notice to eligibles who may have made themselves
15 unavailable for appointment, terminate it before a year
16 has expired.

17 Eligibility lists may be established for a period of six
18 months upon the approval of the personnel commission
19 as long as the six-months duration of such a list is noted in
20 the recruitment bulletin announcing the examination. If
21 a list is exhausted for appointments to current vacancies,
22 through use and eligibles being unavailable, the
23 commission may, upon the recommendation of the
24 officer charged with certifying eligibles, and after due
25 notice to eligibles who may have made themselves
26 unavailable for appointment, terminate it before the
27 expiration date.

28 A list may be extended for an additional period of two
29 years or less at the discretion of the commission.

30 ~~SEC. 19.~~

31 *SEC. 15.* Notwithstanding Section 17610 of the
32 Government Code, if the Commission on State Mandates
33 determines that this act contains costs mandated by the
34 state, reimbursement to local agencies and school
35 districts for those costs shall be made pursuant to Part 7
36 (commencing with Section 17500) of Division 4 of Title
37 2 of the Government Code. If the statewide cost of the
38 claim for reimbursement does not exceed one million
39 dollars (\$1,000,000), reimbursement shall be made from
40 the State Mandates Claims Fund.



1 Notwithstanding Section 17580 of the Government
2 Code, unless otherwise specified, the provisions of this act
3 shall become operative on the same date that the act
4 takes effect pursuant to the California Constitution.

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