

Chapter 1 : What are some examples of Federal Mandates? | Yahoo Answers

In politics, a mandate is the authority granted by a constituency to act as its representative. [1] The concept of a government having a legitimate mandate to govern via the fair winning of a democratic election is a central idea of representative democracy.

All departments, agencies of government, and localities are directed to make available such information and assistance as the Commission may request in maintaining the catalog. The CLG normally reviews and formally adopts the catalog in September of each year. Mandates are organized and named according to their secretariat and agency and then assigned an entry number. There are some mandates that are administered by non-executive or independent agencies or have no state oversight. A mandate can be searched for by secretariat, agency, mandate type, mandate status, edition year of the catalog, or by a key word search. A description for each database search field is below. Name of Secretary that oversees the agency that has purview over a mandate Agency: State agency responsible for overseeing a mandate Mandate Type: Mandates are a constitutional, statutory, or administrative measure or action that places a requirement on local governments. Pursuant to Executive Order 58 , there are four types of mandate classifications within the catalog: Non-Discretionary Conditions of Aid: Regulation of Optional Activities: In order to annually update the catalog, the CLG examines all legislation passed during the General Assembly session and coordinates with executive branch agencies on entering the relevant information on each mandate into the mandates database. A mandate status is identified using one of the following terms: Indicates a newly created mandate as a result of recent legislation passed by the General Assembly. Indicates a mandate that was passed by the General Assembly in a previous year but had not been identified by the Commission. A mandate that had significant changes to the code section which warrants a new assessment and significant changes to the catalog entry. A mandate that had its code section redacted and is no longer a valid mandate. A mandate that has its code section altered or expanded but did not affect the substance of the original mandate. Each year the Commission reviews and approves of a new edition of the catalog. One can search for different editions to the catalog and what has changed over the years. Assessment of Mandates The catalog also contains links to completed assessments done by agencies that administer mandates. A schedule is created based on mandates that are new, newly identified, or significantly expanded as to warrant an assessment on the impact made by the changes to the mandate. The Commission adopts a schedule for each fiscal year at their March meeting. The CLG is responsible for notifying the Governor and the General Assembly when an agency assessment recommends the alteration or elimination of a mandate. For more information on the assessment process, including the current approved assessment schedule by the Governor, please visit our website here. Access and Authorization This system is the property of the Commonwealth of Virginia. Only persons authorized shall be allowed access to this system. Those permitted access shall use this system ONLY for purposes for which they have been authorized. ALL access and usage on this system is logged. ANY unauthorized access, use, or abuse of this system or the information contained therein shall be reported to appropriate authorities for investigation and prosecution to the fullest extent of the law. It is the responsibility of all organizations to properly update and maintain their users when personnel and roles change. Unauthorized access or use is prohibited.

Chapter 2 : Unfunded mandate - Wikipedia

mandate ∅ *The White House initiative functioned in this way not as a mandate but as a disincentive.* ∅ *Lebanon became a French mandate after World War I.* ∅ *While he has railed against new government mandates, Dole supported a mandate requiring more use of ethanol.*

Background[edit] An "intergovernmental mandate" generally refers to the responsibilities or activities that one level of government imposes on another by legislative, executive or judicial action. An enforceable duty ∅ this refers to any type of legislation, statute or regulation that either requires or proscribes an action of state or local governments, excluding actions imposed as conditions of receiving federal aid. Conversely, horizontally applied, or "crosscutting," mandates refer to mandates that affect various departments or programs. In the s, the federal government utilized grants as a way to increase state and local participation, which resulted in federal assistance constituting over 25 percent of state and local budgets. Advisory Commission on Intergovernmental Relations ACIR] reported that, during the s, more major intergovernmental regulatory programs were enacted than during the s. Despite opposition from the Reagan administration and George H. Bush administration , an additional 27 laws that could be categorized as unfunded mandates went into effect between and San Antonio Metropolitan Transit Authority affirmed the ability for the federal government to directly regulate state and local governmental affairs. United States, the Court struck down a federal law that regulated the disposal of low-level radioactive waste , which utilized the Tenth Amendment to the United States Constitution to require states to dispose of the radioactive material. The Amendments to the Clean Air Act established the National Ambient Air Quality Standards , authorized requirements for control of motor vehicle emissions, increased the federal enforcement authority but required states to implement plans to adhere to these standards. States have had to write up State Implementation Plans, have them approved by the EPA and must also fund the implementation. This means that any federally mandated increase in Medicaid spending forces states to spend more. If students did not show improvement from year to year on these tests, their schools were asked to work to improve the quality of the education by hiring highly qualified teachers and by tutoring struggling students. Criticism[edit] Critics argue that unfunded mandates are inefficient and are an unfair imposition of the national government on the smaller governments. United States , mentioned above. Duncan , the plaintiffs alleged that the school district need not comply with the No Child Left Behind Act of because the federal government did not provide them sufficient funding; the court concluded that insufficient federal funds were not a valid reason to not comply with a federal mandate. To curb the practice of imposing unfunded Federal mandates on States and local governments; [It was done by also amending the Congressional Budget Act of Foxx had authored a previous version of this bill, which also passed the house, as H. The concern is that private companies could weaken upgrades to public protections. Federal and State Mandating on Local Governments: Report to the National Science Foundation. University of California, p. Unfunded Mandates Reform Act: History, Impact, and Issues. Congressional Research Service, The Tools of Government Action. House Committee on Rules. Congressional Budget Office, Summary of the Unfunded Mandates Reform Act. Reagan administration achievements in regulatory relief for state and local governments: Brookings Institution, , p. United States Supreme Court. Kelly, "Federal Unfunded Mandate Reform: United States, U. Shepsle, and Stephen Ansolabehere. Archived from the original on Governing States and Localities. Balancing State and National Needs. New Roosevelt Foundation, Inc. Not an "Unfunded Mandate"" Court Cases: Section b 1. Section a 2 C.

Chapter 3 : Mandate | Definition of Mandate by Merriam-Webster

The Catalog of State and Federal Mandates on Local Governments is updated annually and approved by the Commission on Local Government in September. The catalog is an online, interactive database of all state and federal mandates on local governments identified as of July 1 of each year.

The Budget Local Government Mandatesâ€™ Reasonable Reimbursement Methodology Through a complex, often convoluted, process that has engendered much discussion and disagreement over the years, the state must reimburse local governments for their activities to implement certain state mandates. State law requires the Commission on State Mandates CSM to determine whether new state laws, executive orders, or regulations affecting local governments create state-reimbursable mandates. Generally, local governments may submit claims for state mandate payment based on one of two methods: A budget trailer bill proposal from the administration would change the requirements for developing an RRM. We recommend the Legislature reject this proposal and perhaps consider targeted alternatives. In , voters passed Proposition 4, which added a requirement to the California Constitution that local governments be reimbursed for new programs or higher levels of service that the state imposes on them. Local governments include counties, cities, local educational agencies LEAs such as school districts, and special districts. Historically, the state often deferred reimbursement. Proposition 1A , which applies to non-education-related mandates, amended the Constitution to require the state to either 1 pay most mandate reimbursements in the annual budget act or 2 or suspend or repeal the mandate s. Under law, CSM determines whether a state requirement qualifies as a reimbursable mandate. The claiming instructions tell local governments how to file for reimbursement for the mandated activities with the State Controller. Options for Mandate Reimbursements. Once CSM has adopted Parameters and Guidelines, local governments can submit claims for reimbursement based on the actual costs of the required activities. The Legislature created the RRM process in with the intent to streamline the documentation and reporting process for mandates. An RRM allows local governments to be reimbursed based on general allocation formulas or other approximations of costs, rather than detailed documentation of actual costs. Currently, there are 58 active education mandates and 22 active local government mandates for which the CSM has adopted Parameters and Guidelines. Currently, there is ongoing litigation regarding the stormwater mandate. As a result, this mandate is neither funded nor suspended. For education-related mandates, there is a third optionâ€™ block grantsâ€™ which we describe later. Rather, state law directs the CSM to adopt or reject the proposal. If there are multiple RRM proposals for a particular mandate, the CSM must determine which of the proposals best fits these conditions. In particular, an RRM must: Use cost information from one of the following: An informal conference provides another opportunity for discussing issues before the CSM, including the adoption or rejection of an RRM. Parties may challenge a CSM decision, including adoption of an RRM, in court if they believe it is not supported by substantial evidence. A court may direct the CSM to re-hear the issue. Typically, within one year of local governments submitting claims for reimbursement, the CSM prepares a statewide cost estimate based on the claims or the RRM. After the cost estimate is prepared, mandates are considered for funding in the state budget. As noted earlier, Proposition 1A requires the Legislature to fund, suspend, or repeal non-education-related mandates. Suspending mandates relieves local governments of performing the mandate for one year, while repealing a mandate permanently eliminates it. In , the state created two education mandates block grantsâ€™ one for all active K mandates and one for all active community college mandates. The block grants are an alternative mechanism for LEAs to seek mandate reimbursement. Instead of submitting detailed claims on an ongoing basis listing how much was spent on each mandated activity or using specific RRMs for specific mandates, LEAs can choose to receive funding for all mandated activities through the block grants. As of , almost all LEAs are participating in the block grants. Those LEAs not opting to participate in the block grants continue to submit claims to the Controller for reimbursement at a later date. State law authorizes SCO to audit any mandate claim within three years of reimbursement. Generally, SCO identifies claims to audit based on certain criteria, such as the size of the claim, the variance in claimed costs, and prior audit experience. SCO also verifies the information

provided by the local government is accurate and sufficient to support the reimbursement. If the local government claimed reimbursement for activities not included in the Parameters and Guidelines or did not provide sufficient evidence for the claim, SCO may reduce the reimbursement. Last year, SCO issued roughly audit reports related to mandate claims. Each audit report included an average of five local government reimbursement claims for particular mandates. Overall, this reflects an audit of roughly 1 percent of claims. In the 1 percent, or roughly claims, audited, SCO identified errors in 60 percent of them. Moreover, this error rate likely does not reflect the error rate across all claims as SCO targets audits based on the risk factors discussed above. Notably, reductions to community college claims reflected over half of the total adjustments. Each audit report, which typically is performed by one auditor, requires six months to one year to complete. Commission Can Overturn Controller Reductions. If a local government believes SCO incorrectly reduced its reimbursement, the local government may appeal the decision to the CSM. The administration proposes this amendment based on its concern that the claims used to develop the Immunization Records Pertussis RRM overstated actual costs. The administration has voiced similar concerns for other mandates through written comments to the CSM in the past. An RRM developed through means other than claims data would not face this requirement. The RRM process also may provide an incentive to local governments to perform activities more efficiently because they are reimbursed at a fixed rate. Despite these possible advantages, the RRM process has been seldom used to date. In part, this may be because the state has suspended many mandates in recent years, thereby eliminating the need to develop RRMs in many cases. Current law allows 1 multiple parties to submit RRM proposals for the same mandate, 2 parties to submit arguments for and against RRM proposals, and 3 any CSM decision to be challenged in court. The first opportunity allows the state an opportunity to counter local government proposals that may provide reimbursements in excess of those required by law. Thus, there are several opportunities for DOF or other interested parties to weigh in on whether an RRM proposal meets the requirements of state law. One possible source of cost information for an RRM is claims from a representative sample of eligible local governments. Notably, the Immunizations Records [Pertussis] RRM included claims from roughly school districts over multiple years. Since each audit can take many months to complete, the proposed audit requirement likely would lengthen the process for developing an RRM. As a result, it could become more difficult for local governments to propose RRMs based on claims data in the future. While RRMs have been seldom used to date, we advise the Legislature to be cautious in considering actions that could make the process significantly less beneficial for local governments in the future. In future years, for example, the state may suspend fewer local government mandates than it does today, and this could provide an impetus for more RRM proposals. For example, the Legislature could consider adding an audit requirement for a sample of the claims used for an RRM. In addition, the Legislature could require SCO to complete its audit of the sample of claims within a specific number of days after receiving an RRM proposal—perhaps 60 days. Currently, informal conferences are held when requested by an interested party.

Chapter 4 : Catalog of State and Federal Mandates

Government Mandates Changing the Healthcare Industry By Bisk In industries across the world, businesses are working hard to streamline processes to help improve products and services, while strengthening financial outcomes with as little waste as possible.

Chapter 5 : Mandate (politics) - Wikipedia

Federal Mandate: E-Government Act of The E-Government Act, enacted December 17, , recognizes that the Internet is changing the way people, businesses, and government agencies interact. It was written to promote the use of Internet-based information technology to enhance citizen access to government information and services and to.

Chapter 6 : Government Mandates - Microsoft in Government

According to the Unfunded Mandates Reform Act of , federal mandates include requirements imposed on state, local, or tribal governments or on entities in the private sector that are not conditions of aid or tied to participation in voluntary federal programs.

Chapter 7 : What is federal mandate

About the Catalog of State and Federal Mandates on Local Governments. Pursuant to Â§, the Commission on Local Government (CLG) is required.

Chapter 8 : Mandate Monitor Overview

The government's mandate to NHS England sets its objectives and budget, and helps to ensure that the NHS is accountable to Parliament and the public.

Chapter 9 : The Budget: Local Government Mandates--Reasonable Reimbursement Methodology

The healthcare upheaval that is sure to have an impact for decades to come: This article discusses the electronic medical records mandate, and its consequences.