

REPORT TO THE
CALIFORNIA LEGISLATURE

JULY 1987

COMMISSION ON STATE MANDATES

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

Robert W. Eich
Executive Director

COMMISSION ON STATE MANDATES

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



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 July 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 "Jesse R. Huff".

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
Elizabeth Hill, Legislative Analyst
Allan Zaremberg, Legislative Secretary, Governor's Office

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COMMISSION ON STATE MANDATES

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



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 July 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.

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JESSE R. HUFF, Chairperson
Commission on State Mandates

Enclosure

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INTRODUCTION

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 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 two mandate findings including the justification for finding a mandate and the reimbursable cost areas.

Chapter 486, Statutes of 1975
Chapter 1459 Statutes of 1984
Mandate Reimbursement Process

Eligible Claimants

All local governmental entities and school districts

Basis for Mandate

Chapter 486, Statutes of 1975; established the Board of Control's authority to hear and make determinations on claims submitted by local governments that allege costs mandated by the State. In addition, Chapter 486, Statutes of 1975, contains provisions authorizing the State Controller's Office to receive, review, and pay reimbursement claims for mandated costs submitted by local governments.

Chapter 1459, Statutes of 1984, created the Commission on State Mandates, which replaced the Board of Control with respect to hearing mandate cost claims. This law established the "sole and exclusive procedure" by which a local agency or school district is allowed to claim reimbursement as required by Section 6 of Article XIII B of the California Constitution for State mandates under the Revenue and Taxation Code (Government Code Section 17552).

Together these laws establish the process by which local agencies are to receive reimbursement for State-mandated programs. As such, they prescribe the procedures which must be followed before mandated costs are to be recognized. They also dictate reimbursement activities by requiring localities to file claims according to instructions issued by the Controller.

Statewide Cost Estimate

The Commission on State Mandates adopted a statewide cost estimate of \$15,180,000 for the 1984-85 through 1987-88 fiscal years.

Following is a fiscal year breakdown of statewide costs:

<u>Fiscal Year</u>	<u>Amount</u>
1984-85	\$3,122,405
1985-86	3,593,877
1986-87	4,343,757
1987-88	<u>4,120,403</u>
TOTAL	\$15,180,000 (R)