

BEFORE THE COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

Claim of:

County of Fresno
Claimant

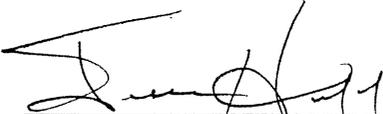
No. CSM-4204

DECISION

The attached Proposed Decision of the Commission on State Mandates is hereby adopted by the Commission on State Mandates as its decision in the above-entitled matter.

This Decision shall become effective on April 24, 1986.

IT IS SO ORDERED April 24, 1986.



Jesse Huff, Chairman
Commission on State Mandates

3. Chapter 486, Statutes of 1975 established the Board of Control's authority to hear and make determinations on claims submitted by local governments that alleges costs mandated by the state. In addition, Chapter 486/75 contained provisions authorizing the State Controller's Office to receive, review and pay reimbursement claims for mandated costs submitted by local governments.
4. Chapter 1459, Statutes of 1984, created the Commission on State Mandates, which replaced the Board of Control with respect to hearing mandated cost claims from local governments.
5. The County of Fresno has incurred increased costs as a result of having to file test claims and reimbursement claims which are required by Chapter 486/75 and Chapter 1459/84.
6. The County of Fresno's increased costs are costs mandated by the state.
7. Government Code Section 17514 defines costs mandated by the state as any increased costs which a local agency or school district is required to incur after July 1, 1980, as a result of any statute enacted on or after January 1, 1975, which mandates a new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.

III.

DETERMINATION OF ISSUES

1. The commission has authority to decide this claim under the provisions of Government Code Section 17551.
2. Chapter 486, Statutes of 1975 and Chapter 1459, Statutes of 1984 impose a reimbursable state mandate upon local government. The County of Fresno has established that these two statutes have imposed a new program and an increased level of service by requiring local governments to file claims in order to establish the existence of a mandated program, as well as to obtain reimbursement for the cost of the mandated program.