

**COMMISSION ON STATE MANDATES**

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July 9, 2001

Leonard Kaye, Esq.  
County of Los Angeles  
Auditor-Controller's Office  
Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 525  
Los Angeles, Ca 90012-2766

*And Affected Parties and State Agencies (See Enclosed Mailing List)*

Re: *Postmortem Examinations: Unidentified Bodies, Human Remains* – 00-TC-18  
County of Los Angeles, Claimant  
Statutes of 2000, Chapter 284, Adding Sections 27521 & 27521.1 of the  
Government Code  
Amending Section 102870 of the Health & Safety Code  
Amending Section 14202 of the Penal Code

Dear Mr. Kaye:

The Commission on State Mandates determined that the subject test claim submittal is complete. The test claim initiates the process for the Commission to consider whether the provisions listed above impose a reimbursable state-mandated program upon local entities. State agencies and interested parties are receiving a copy of this test claim because they may have an interest in the Commission's determination.

The key issues before the Commission are:

- Do the provisions listed above impose a new program or higher level of service within an existing program upon local entities within the meaning of section 6, article XIII B of the California Constitution and costs mandated by the state pursuant to section 17514 of the Government Code?
- Does Government Code section 17556 preclude the Commission from finding that any of the test claim provisions impose costs mandated by the state?

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The Commission requests your participation in the following activities concerning this test claim:

- **Informal Conference.** An informal conference may be scheduled if requested by any interested party. See Title 2, California Code of Regulations, section 1183.04 (the regulations).
- **State Agency Review of Test Claim.** State agencies receiving this letter are requested to analyze the merits of the enclosed test claim and to file written comments on the key issues before the Commission. Alternatively, if a state agency chooses not to respond to this request, please submit a written statement of non-response to the Commission. Requests for extensions of time may be filed in accordance with sections 1183.01 (c) and 1181.1 (g) of the regulations. State agency comments are due 30 days from the date of this letter.
- **Claimant Rebuttal.** The claimant and interested parties may file rebuttals to state agencies' comments under section 1183.02 of the regulations. The rebuttal is due 30 days from the service date of written comments.
- **Hearing and Staff Analysis.** A hearing on the test claim will be set when the record closes. Pursuant to section 1183.07 of the Commission's regulations, at least eight weeks before the hearing is conducted, a draft staff analysis will be issued to parties, interested parties, and interested persons for comment. Comments are due 30 days following receipt of the analysis. Following receipt of any comments, and before the hearing, a final staff analysis will be issued.
- **Mailing Lists.** Under section 1181.2 of the Commission's regulations, the Commission will promulgate a mailing list of parties, interested parties, and interested persons for each test claim and provide the list to those included on the list, and to anyone who requests a copy. Any written material filed on that claim with the Commission shall be simultaneously served on the other parties listed on the claim.
- **Dismissal of Test Claims.** Under section 1183.09 of the Commission's regulations, test claims filed after May 5, 2001, may be dismissed if postponed or placed on inactive status by the claimant for more than one year. Prior to dismissing a test claim, the Commission will provide 150 days notice and opportunity for other parties to take over the claim.

MAILED:    
DATE: 7/9/01   
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WORKING BINDER:

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If the Commission determines that a reimbursable state mandate exists, the claimant is responsible for submitting proposed parameters and guidelines for reimbursing all eligible local entities. All interested parties and affected state agencies will be given an opportunity to comment on the claimant's proposal before consideration and adoption by the Commission.

Finally, the Commission is required to adopt a statewide cost estimate of the reimbursable state-mandated program within 12 months of receipt of an amended test claim. This deadline may be extended for up to six months upon the request of either the claimant or the Commission.

Please contact Nancy Patton at (916) 323-8217 if you have any questions.

Sincerely,



SHIRLEY ORIE  
Assistant Executive Director

Enclosures: Mailing List and Test Claim

# Commission on State Mandates

List Date: 07/06/2001

Mailing Information

## Mailing List

Claim Number 00-TC-18 Claimant County of Los Angeles

Subject Statutes of 2000, Chapter 284

Issue Postmortem Examinations: Unidentified Bodies, Human Remains

Harnett Barkschat,  
Mandate Resource Services

8254 Heath Peak Place  
Antelope CA 95843

Tel: (916) 727-1350  
FAX: (916) 727-1734

Interested Person

Executive Director,  
California State Coroners' Association

5925 Maybrook Circle  
Riverside Ca 92506

Tel: (909) 788-2656  
FAX: (916) 000-0000

Executive Director,  
California State Sheriffs' Association

P O Box 890790  
West Sacramento Ca 95898

Tel: (916) 375-8000  
FAX: (916) 000-0000

Interested Party

Mr. Glenn Haas, Bureau Chief (B-8)

State Controller's Office  
Division of Accounting & Reporting  
3301 C Street Suite 500  
Sacramento CA 95816

Tel: (916) 445-8756  
FAX: (916) 323-4807

State Agency

Mr. Leonard Kaye, Esq.,  
County of Los Angeles  
Auditor-Controller's Office  
500 W. Temple Street, Room 603  
Los Angeles CA 90012

Tel: (213) 974-8564  
FAX: (213) 617-8106

Claimant

Subject

Statutes of 2000, Chapter 284

Issue

Postmortem Examinations: Unidentified Bodies, Human Remains

Mr. Steve Keil,  
California State Association of Counties

1100 K Street Suite 101  
Sacramento CA 95814-3941

Tel: (916) 327-7523  
FAX: (916) 441-5507

Interested Party

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Department of Finance

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Sacramento CA 95814

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State Agency

Mr. Gary Maggie,  
Department of Justice

4949 Broadway  
Sacramento Ca 95820

Tel: (916) 000-0000  
FAX: (916) 000-0000

Mr. Manuel Medeiros, Asst. Attorney General (D-8)  
Department of Justice  
Government Law Section  
1300 I Street 17th Floor  
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Tel: (916) 324-5475  
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Mr. Paul Minney,  
Spector, Middleton, Young & Minney, LLP

7 Park Center Drive  
Sacramento Ca 95825

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Interested Person

Mr. Keith B. Petersen, President  
Sixten & Associates

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San Diego CA 92117

Tel: (858) 514-8605  
FAX: (858) 514-8645

Interested Person

**Claim Number**

00-TC-18

**Claimant**

County of Los Angeles

**Subject**

Statutes of 2000, Chapter 284

**Issue**

Postmortem Examinations: Unidentified Bodies, Human Remains

Ms. Sandy Reynolds, President (Interested Person)  
Reynolds Consulting Group, Inc.

P.O. Box 987  
Sun City CA 92586

*Tel:* (909) 672-9964  
*FAX:* (909) 672-9963

Interested Person

Mr. Steve Smith, CEO  
Mandated Cost Systems, Inc.

2275 Watt Avenue Suite C  
Sacramento CA 95825

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Interested Person

Jim Spano,  
State Controller's Office  
Division of Audits (B-8)  
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State Agency

Ms. Pam Stone, Legal Counsel  
DMG-MAXIMUS

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Sacramento CA 95841

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*FAX:* (916) 485-0111

Interested Party

Mr. David Wellhouse,  
Wellhouse & Associates

9175 Kiefer Blvd Suite 121  
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*FAX:* (916) 368-5723

Interested Person