

COMMISSION ON STATE MANDATES

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August 9, 2013

Mr. Michael Byrne
Department of Finance
915 L Street, Room 1190
Sacramento, CA 95814

And Affected State and Local Agencies and Interested Parties (See Mailing List)

Re: **Notice of Complete Filing and Schedule for Comments**

Mandate Redetermination Request, 13-MR-01

Fire Safety Inspections of Care Facilities, (01-TC-16)

Health and Safety Code Section 13235(a); as added or amended by

Statutes 1989, Chapter 993; Statutes 2009, Chapter 12 (ABX4 12)

California Department of Finance, Requester

Dear Mr. Byrne:

On July 29, 2013, the Department of Finance filed a request to adopt a new test claim decision to supersede the prior decision on the above-named matter. Upon initial review, Commission on State Mandates (Commission) staff found the request to be complete. Based on the filing date of this request, the potential reimbursement period affected begins fiscal year 2012-2013. The request is posted at http://www.csm.ca.gov/pub_comment.shtml on the Commission's website. The Commission is now asking affected state and local agencies and interested parties to comment on the mandate redetermination request as specified below.

Review of Mandate Redetermination Request

The Department of Finance, State Controller's Office, any affected state agency, the original test claimant, and any interested party shall have the opportunity to review and provide a written response concerning the request on or before **September 9, 2013**. Requests for extensions of time may be filed in accordance with sections 1183.01(c) and 1181.1(h) of the Commission's regulations.

Please focus your responses on the legal issue of whether or not the state's liability has been modified based on a subsequent change in law. (See generally Gov. Code § 17570 and Cal. Code Regs., tit. 2, §1190 et seq.)

Rebuttal

Pursuant to section 1190.02 of the Commission's regulations, parties and interested parties may file rebuttals to the written responses within 30 days of service of the responses.

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Process for Filing Comments

The Commission has promulgated a mailing list of parties, interested parties, and interested persons for this mandate redetermination request which is available on the Commission's website at www.csm.ca.gov.

You are advised that the original and two copies of a written response and supporting documentation filed with the Commission are required to be simultaneously served on the other interested parties on the mailing list, and to be accompanied by a proof of service. However, this requirement may also be satisfied by electronically filing your documents on the Commission's website. For instructions on electronic filing, please see the Commission's website at http://www.csm.ca.gov/dropbox_procedures.shtml. The written responses will be posted on the Commission's website and the mailing list will be notified by electronic mail of the posting and the comment period. This procedure will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.2.

Please contact Heidi Palchik at (916) 323-8218 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey", written in a cursive style.

Heather Halsey
Executive Director