

AGENDA**ASSEMBLY BUDGET SUBCOMMITTEE NO. 4 STATE ADMINISTRATION****ASSEMBLYMEMBER JIM COOPER, CHAIR****TUESDAY, APRIL 18, 2017
1:30 P.M. - STATE CAPITOL, ROOM 447**

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VOTE-ONLY CALENDAR

3100 CALIFORNIA SCIENCE CENTER

VOTE-ONLY ISSUE 1: RESTORE 13 CUSTODIAL POSITIONS AT CALIFORNIA SCIENCE CENTER

The 2016-17 budget includes a proposal to restore 13 custodial positions to clean and maintain the California Science Center (CSC) and provide \$644,591 (Exposition Park Improvement Fund) to fund the positions.

BACKGROUND

During 2008 - 2011, the Science Center received phased-in funding approval to operate and maintain the Phase II Ecosystem facility. However, in 2011-12 and 2012-13, the Science Center lost a total of 38 positions due to the state budget crisis.

These combined actions resulted in a significant reduction in workforce. The Science Center went from 148 authorized positions in 2009-10 down to 110 authorized positions in 2016-17. The impact on custodial support was significant. The Science Center had a total of 41 custodians and seven custodian supervisors to address a three-shift/362-day work year and 10 facilities. Today, the Science Center has 17 custodians, and three custodian supervisors.

As a result of layoffs and abolished new positions, there is reduced custodial support for the Science Center facilities, and zero custodial support for the Phase II building which opened to the public in April 2010. This BCP requests restoration of funding and three full-time custodian positions. Given the unusual demands for cleaning and custodial support for over two million average guests per year (many of them young children and youth), and a seven day-week, two-shift operation, 13 additional custodians are necessary for daily operations.

STAFF COMMENTS

Staff has no concerns with this proposal. There is no General Fund impact.

Staff Recommendation: Approve as budgeted.

**VOTE-ONLY ISSUE 2: SPRING FINANCE LETTER: EXPOSITION PARK REIMBURSEMENT
AUTHORITY AND EXPENDITURE AUTHORITY INCREASES**

The Office of Exposition Park Management (OPEM) requests an augmentation of \$150,000 [Exposition Park Improvement Fund (EPIF)] and an increase of \$225,000 in reimbursement authority, annually, over a three-year period, to pay for consultant services to develop a new Master Plan for Exposition Park.

BACKGROUND

The last Master Plan for Exposition Park is approximately three decades old. A new Master Plan for Exposition Park will provide a cohesive vision for the grounds while ensuring the State of California meets its lease obligations with each park entity. Currently, Exposition Park houses the following: Banc of California Stadium—Los Angeles Football Club (under construction); California African American Museum; California Science Center (which includes the Alexander Science Center School and Amgen Center for Science Learning, IMAX Theater, and Samuel Oschin Pavilion); Exposition Park Rose Garden; EXPO Center (which includes the LA 84/John C. Argue Swim Stadium, Ahmanson Senior Citizen Center, Ralph M. Parsons Pre-School, Soboroff Playfield, and Mini-Urban Farm); Los Angeles Memorial Coliseum (USC); Lucas Museum of Narrative Art (in design and development); Natural History Museum of Los Angeles County;

An updated Master Plan will include an inventory of existing facilities and an index of use of those facilities, a land management plan, the identification of viable projects, and any necessary environmental review. The state's portion of funding of \$150,000 EPIF makes up contribution of the Science Center, the California African American Museum, and OPEM. Reimbursements below are annual contributions (for three years) for the consulting services from the following:

Expo Park tenants:

- Banc of California Stadium—Los Angeles Football Club—\$50,000
- EXPO Center—\$25,000
- Natural History Museum—\$25,000
- USC - Los Angeles Memorial Coliseum—\$33,000
- Lucas Museum of Narrative Art—\$25,000

Grant:

- Southern California Association of Governments (SCAG)—\$200,000 grant allocated over the three-year period (\$67,000 annually)

If approved, the increase of \$225,000 of annual baseline Reimbursement Authority from \$638,000 to \$863,000 and expenditure authority increase of \$150,000 annually, over a three-year period, not to exceed \$450,000, will address the procurement of a multi-three-year master planning services contract. The approval of this request will assist OEPM in meeting part of its mission, which consists of providing the highest level of management and overall park beautification, maintenance and development and implementation of the Master Plan.

STAFF COMMENTS

Staff has no concerns with this proposal. There is no General Fund impact.

Staff Recommendation: Approve as budgeted.

VOTE-ONLY ISSUE 3: SPRING FINANCE LETTER: TECHNICAL ADJUSTMENT RELATED TO THE CALIFORNIA AFRICAN AMERICAN MUSEUM

This proposal requests that Item 3100-494 be added to reappropriate up to \$275,000 from Item 3100-001-0267 and up to \$2 million from Item 3100-001-0001 for deferred maintenance funding included in the 2016 Budget Act.

BACKGROUND

The deferred maintenance funding is for restroom and water fountain renovations and improvements to exhibit art storage facilities at the California African American Museum (CAAM).

The funding was included as part of the 2016 Budget Act. In order to provide more time for the contracts and work to be completed, a reappropriation is needed for one additional year.

The funding was a result of one BCP last year and a request by the Black Caucus for an additional \$2 million in funding for CAAM.

STAFF COMMENTS

Staff has no concerns with this proposal.

Staff Recommendation: Approve the Spring Finance Letter.

7760 DEPARTMENT OF GENERAL SERVICES

VOTE-ONLY ISSUE 4: CAPITAL OUTLAY: FORTUNA RESIDENTIAL CENTER

The Governor's budget requests the authority to exercise the lease-purchase option to acquire the facility located at 1546 Alamar Way in Humboldt County, which is currently occupied by the California Conservation Corps (CCC) Fortuna Residential Center for \$1 (General Fund).

BACKGROUND

This request will allow the Department of General Services (DGS) to acquire the facility for \$1 (rounded to \$1,000) pursuant to the terms of the existing property lease, which is set to expire on June 30, 2018. Pursuant to the lease terms, DGS on behalf of CCC, entered into a 25-year lease-purchase with the City of Fortuna in October 1991, with payments starting in July 1992.

The center is roughly 40,000 square feet situated on about six acres, and consists of an administration building, dormitories, recreation, educational facilities, and a warehouse. The facility has been the CCC's home base in the Pacific Northwest for the last 25 years, and the facility location continues to meet the programmatic needs of the CCC.

This proposal will allow DGS to acquire the facility and surrounding acreage at minimal expense, and as such, make the best use of state resources. Residential facilities provide capacity to house approximately 40 percent of the CCC's member population who live, eat, and sleep in CCC facilities. These residential locations serve as the "hub" of CCC's service delivery, including: corps member education and training, disaster response, field administration, and community service/outreach.

STAFF COMMENTS

The acquisition will shift CCC's lease payment costs to operations and maintenance. Staff has no concerns with this proposal.

Staff Recommendation: Approve as Budgeted.

VOTE-ONLY ISSUE 5: OFFICE OF LEGAL SERVICES WORKLOAD

The Department of General Services, Office of Legal Services (OLS) requests a permanent budget augmentation of \$451,000 (Special Funds) and two permanent, full-time Attorney III positions beginning in 2017-18.

BACKGROUND

OLS provides contract review services and provides legal advice to the Governor's Office, DGS programs, and other state agencies. OLS reviews approximately 6,000 contracts each year. This new workload continually expands and the legal issues are becoming more complex and rapidly evolving, thereby necessitating additional attorney time. The 2016 Budget Act includes funding to initiate the first three projects in the Governor's Five-Year Infrastructure Plan. OLS will assist with implementing the Plan. In order to provide timely, strategic advice and effective advice regarding green technologies, agile procurements and the Governor's Five-Year Infrastructure Plan, additional attorney resources are needed. While the Infrastructure Plan is in its early phases and will be more fully developed in the coming months, DGS presently estimates approximately 30 attorney hours per week and 100 attorney hours per month.

OLS currently has 14 line attorneys, two assistant chief counsels, and a chief counsel. A majority of other state agencies of comparable size to DGS (ranging from 2,000 to 5,000 total baseline positions) have more than twice the number of attorneys and staff counsels, ranging from 28 to 88 line attorneys. Current staffing levels are not sufficient to meet current needs and do not allow for expedient, proactive, in-depth legal review and strategic advice, thereby reducing the state's opportunities for obtaining significant environmental and fiscal benefits and implementing the Administration's policies.

Another OLS function is hearing bid protests. The four attorneys who currently hear bid protests are also assigned a full workload of contract review and advice. Due to competing workload demands, it has become fairly common for bid protest decisions to be issued late. Currently, there are backlogs of 41 percent and 25 percent in Bid Protest Decisions and Contract Review services respectively. This means that nearly half of the Bid Protest Decisions are late and one fourth of the contracts received for review are late. Additional resources are needed in order to reduce backlogs in these services areas as well.

STAFF COMMENTS

The new positions will help the significant backlogs in OLS contract and bid protest review, enable OLS to provide effective, proactive advice rather than reviewing problems after they have arisen.

Staff Recommendation: Approve as Budgeted.

VOTE-ONLY ISSUE 6: MERCURY CLEANERS SITE MONITORING

The DGS, Asset Management Branch requests one-time \$580,000 (General Fund) in fiscal year 2017-18 to continue the monitoring/remediation efforts of the former Mercury Cleaners site, a state-owned property located at 1419 16th Street, Sacramento.

BACKGROUND

The State of California owns the real property site known as Mercury Cleaners at 1419 16th Street, Sacramento. DGS acts as the state's real estate manager for the site. High concentrations of hazardous materials exist on the site due to the former dry cleaning operations, primarily high concentrations of dry cleaning solvents in the soil and groundwater. The Regional Water Quality Control Board (RWQCB) is the lead agency for the investigation, remediation, and ongoing monitoring of this site. Under direction of RWQCB, remediation is underway for cleanup of the hazardous materials.

DGS is undertaking the cleanup in a "voluntary" compliance mode, which includes implementation of a proactive remediation project plan. Regardless of the availability of funds, if the state does not meet the expectations of the RWQCB as it relates to abatement of the condition of the site, the state could be found in violation of the Porter-Cologne Water Quality Control Act and multiple Water Code provisions resulting in citations and fines.

DGS has been proactively involved with RWQCB to conduct extensive tests and planning and began remediation in fiscal year 2015-16. Remediation efforts will continue through fiscal year 2016-17. Funding will be required for 2017-18 and future years for continued testing and monitoring activities as directed by the RWQCB.

DGS received \$3.7 million one-time General Fund authority in 2014-15, \$9.3 million one-time General Fund authority in 2015-16 and \$2.14 million one-time General Fund authority in 2016-17 for remediation of the Mercury Cleaners building site, including site investigation and assessment work. This site is one of the more toxic sites in the state, per the RWQCB.

The following table provides the best cost estimates for monitoring and testing activities in 2017-18.

Groundwater Monitoring and Reporting	\$500,000
Supplemental Air Quality Studies	\$60,000
Distributed Admin	\$20,000
TOTAL	\$580,000

STAFF COMMENTS

Approval of the funding for the remediation efforts is consistent with past actions by the Subcommittee.

Staff Recommendation: Approve as Budgeted.

VOTE-ONLY ISSUE 7: FAIRVIEW DEVELOPMENTAL CENTER: CONSULTANT SERVICES

On April 1, 2016, the Department of Developmental Services (DDS) submitted a closure plan for the Fairview Development Center (FDC) that was approved by the Legislature. The Asset Management Branch (AMB) is responsible for identifying alternative reuses for the FDC campus.

AMB is requesting a one-time Property Acquisition Law (PAL) Money Account expenditure authority augmentation and commensurate General Fund loan of \$2,168,000 to contract for the services of external consultants to identify alternative reuses for the FDC campus.

BACKGROUND

AMB lacks the resources to contract for external consultants with expertise in the following areas: stakeholder outreach, biological and cultural resource assessment, property condition and infrastructure capacity assessments, traffic studies. Phase I and II (if required) environmental site assessments, hydrology and water resource studies, master planning studies and collaboration, alternatives analysis and adaptive repurposing studies, market studies, economic modeling, cost estimating and financial analysis, appraisal, and contract negotiations.

AMB does not have sufficient external contract expenditure authority and thus is required to request resources for specific projects as necessary. AMB contracts with external consultants in order to develop a framework that balances the state's interests with those of stakeholders, and delivers viable projects that are supported by local communities. External consultants will be hired to provide expertise not currently available in state service.

Government Code section 11011 (h) provides that the Director of Finance may approve loans from the General Fund to the PAL account for the purposes of supporting the management of the state's real property assets. Typically, the Department of General Services' costs for AMB's efforts are appropriated through PAL with the support of a General Fund loan. The General Fund loan is reimbursed from the proceeds of a sale or lease of state surplus property.

STAFF COMMENTS

Staff has no concerns with this proposal.

Staff Recommendation: Approve as Budgeted.

8885 COMMISSION ON STATE MANDATES**VOTE-ONLY ISSUE 8: GOVERNOR'S PROPOSAL TO FUND AND SUSPEND MANDATES**

The Governor's budget includes a proposal to fund and suspend mandates consistent with past years.

BACKGROUND

Mandates to be Funded. The budget continues to fund mandates that are related primarily to law enforcement and property taxes consistent with past years. Additionally, the budget proposes a new mandate to be funded, the Sheriffs Court Security. The chart below includes the mandates to be funded in the 2017-18 Budget for a total of approximately \$34.5 million.

Proposed to be Funded	2016 Budget Act (\$ in 000s)	2017-18 Proposed Budget Bill (\$ in 000s)
Accounting for Local Revenue Realignments	97	97
Allocation of Property Tax Revenues	611	570
California Public Records Act	7,578	0
Crime Victims' Domestic Violence Incident Reports	166	164
Custody of Minors-Child Abduction and Recovery	13,328	12,555
Domestic Violence Arrest Policies	8,494	7,756
Domestic Violence Arrests and Victims Assistance	2,725	1,896
Domestic Violence Treatment Services	2,019	2,379
Health Benefits for Survivors of Peace Officers and Firefighters	2,943	2,413
Local Agency Ethics	0	5
Medi-Cal Beneficiary Death Notices	26	14
Medi-Cal Eligibility of Juvenile Offenders	11	3
Peace Officer Personnel Records: Unfounded Complaints & Discovery	548	678
Rape Victim Counseling	353	444
Sexually Violent Predators	5,129	3,693
State Authorized Risk Assessment Toll for Sex Offenders	725	629
Threats Against Peace Officers	263	1
Tuberculosis Control	83	97
Unitary Countywide Tax Rates	456	313
Post-Election Manual Tally	626	0
<i>Sheriffs Court-Security*</i>		803
Total Funded Costs	\$46,181	\$34,510

Mandates to be Suspended. The Governor's budget proposes the suspension of mandates consistent with previous years. Mandates suspended in prior years are listed below for a total of \$596 million, a decrease of about \$8.9 million.

2017-18 Suspended Mandates (000s)	2016-17 Total Estimate	2017-18 Total Estimate
<i>Absentee Ballots</i>	49,608	49,539
<i>Absentee Ballots – Tabulation by Precinct</i>	68	68
<i>AIDS/Search Warrant</i>	1,263	1,582
<i>Airport Land Use Commission/Plans</i>	0	0
<i>Animal Adoption</i>	40,058	37,056
<i>Brendon Maguire Act</i>	0	0
<i>Conservatorship: Developmentally Disabled Adults</i>	349	349
<i>Coroners' Costs</i>	222	222
<i>Crime Statistics Reports for the Department of Justice & CSRDOJ Amended</i>	154,937	151,976
<i>Crime Victims' Domestic Violence Incident Reports II</i>	2,010	2,010
<i>Developmentally Disabled Attorneys' Services</i>	1,201	1,201
<i>DNA Database & Amendments to Postmortem Examinations: Unidentified Bodies</i>	310	310
<i>Domestic Violence Background Checks</i>	20,627	20,627
<i>Domestic Violence Information</i>	0	0
<i>Elder Abuse, Law Enforcement Training</i>	0	0
<i>Extended Commitment, Youth Authority</i>	0	0
<i>False Reports of Police Misconduct</i>	10	10
<i>Firearm Hearings for Discharged Inpatients</i>	157	157
<i>Grand Jury Proceedings</i>	0	0
<i>ICAN Interagency Child Abuse and Neglect Investigation</i>	73,566	72,382
<i>Identity Theft</i>	93,960	93,960
<i>In-Home Supportive Services II</i>	443	443
<i>Inmate AIDS Testing</i>	0	0
<i>Judiciary Proceedings</i>	274	274
<i>Law Enforcement Sexual Harassment Training</i>	0	0
<i>Local Coastal Plans</i>	0	0
<i>Mandate Reimbursement Process I</i>	6,895	6,841
<i>Mandate Reimbursement Process II (includes consolidation of MRPI and MRPII)</i>	0	0
<i>Mentally Disordered Offenders: Treatment as a Condition of Parole</i>	4,910	4,910
<i>Mentally Disordered Offenders' Extended Commitments Proceedings</i>	7,222	7,222
<i>Mentally Disordered Sex Offenders' Reccommitments</i>	340	340
<i>Mentally Retarded Defendants Representation</i>	36	36
<i>Missing Person Report</i>	0	0
<i>Modified Primary Election</i>	1,817	1,817
<i>Not Guilty by Reason of Insanity</i>	5,214	5,214
<i>Open Meetings Act/Brown Act Reform</i>	110,593	107,487
<i>Pacific Beach Safety: Water Quality and Closures</i>	344	344
<i>Perinatal Services</i>	2,338	2,252
<i>Permanent Absent Voters II</i>	11,907	11,907
<i>Personal Safety Alarm Devices</i>	0	(2,253)

<i>Photographic Record of Evidence</i>	291	291
<i>Pocket Masks (CPR)</i>	0	0
<i>Post-Conviction: DNA Court Proceedings</i>	410	410
<i>Postmortem Examinations: Unidentified Bodies, Human Remains</i>	(466)	5,460
<i>Prisoner Parental Rights</i>	0	0
<i>Senior Citizens Property Tax Postponement</i>	481	481
<i>Sex Crime Confidentiality</i>	0	0
<i>Sex Offenders: Disclosure by Law Enforcement Officers</i>	0	0
<i>SIDS Autopsies</i>	0	0
<i>SIDS Contacts by Local Health Officers</i>	0	0
<i>SIDS Training for Firefighters</i>	0	(981)
<i>Stolen Vehicle Notification</i>	1,117	1,117
<i>Structural Wildland Firefighter Safety</i>	0	0
<i>Very High Fire Hazard Severity Zones</i>	0	0
<i>Voter Identification Procedures</i>	10,075	10,075
<i>Voter Registration Procedures</i>	2,481	2,481
Total	\$605,068	\$596,091*

*Numbers may be off due to rounding

STAFF COMMENTS

The list of mandates proposed to be funded and suspended is consistent with previous budget years.

Staff Recommendation: Approve as budgeted.

ITEMS TO BE HEARD

7760 DEPARTMENT OF GENERAL SERVICES

ISSUE 1: STATE PROJECT INFRASTRUCTURE FUND TRAILER BILL LANGUAGE

The Governor's budget proposes to eliminate the \$300 million transfer from the General Fund to State Project Infrastructure Fund (SPIF) that was planned for 2017-18. The funding was expected to fund some portion of the three initial projects authorized in the 2016 Budget Act.

BACKGROUND

The 2016 Budget Act established SPIF and provided \$1.3 billion from the General Fund to SPIF over two years - \$1 billion that was appropriated in 2016-17 and an additional \$300 million in 2017-18. The fund is continuously appropriated for the renovation and construction of state buildings. The statutory language governing the fund allows the administration to establish and move forward with projects funded by the SPIF without having to receive legislative approval through the state budget process, as is typically required for capital outlay projects. Instead, the language requires the Administration to provide certain notifications and quarterly reports to the Legislature related to SPIF-funded projects.

The \$1.3 billion included in the 2016-17 budget package was intended to be used for three initial building projects in the Sacramento area: a new building at the current Food and Agriculture Annex site on O Street (O Street Building), a new Resources Building at a different site, and either replacement or renovation of the State Capitol Annex. Since the passage of the 2016 Budget Act, the Administration has been moving forward with the O Street Building and the new Natural Resources Building, including providing a notification of its intent to spend a total of \$4.9 million from the fund on the development of the cost, scope, and delivery method for the new O Street and Natural Resources Buildings.

The initial projects proposed in 2016-17 reflect the first step of the Administration's larger regional strategy to expand and improve state office buildings in the Sacramento area over the next ten years. The strategy also proposes to construct another new state building at the existing printing plant site and renovate eight existing state buildings.

1. New O Street Office Building: \$6.3 million to complete the performance criteria for this project. The project includes the demolition of the vacant California Department of Food and Agriculture Annex building, and construction of a new 10-story office building. The new building will be about 339,000 gross square foot, and will include commercial/retail space, nine floors of office space, and limited tenant parking. The project is pursuing sustainable design with the goal of Zero Net Energy and Leadership in Energy and Environmental Design (LEED) Silver certification at a minimum. The expected capacity is 1,150 employees, and will house staff from the Health and Human Services Agency, Department of

State Hospitals, and Department of Developmental Services. The project will be delivered through the design-build contract process. It is anticipated that the performance criteria phase will begin in March 2018. Estimated project completion is scheduled for March 2021, and total estimated project costs are \$274.4 million.

2. New Natural Resources Agency Headquarters Building: \$8.6 million to complete the performance criteria for this project. The project includes construction of an approximately 800,000 gross square foot office building, limited below-grade parking, office space, commercial/retail space, and related infrastructure. The project is pursuing sustainable design with the goal of Zero Net Energy and LEED Silver certification at a minimum. The expected building capacity is between 3,000 to 3,500 employees and will house staff from the California Natural Resources Agency, the Department of Water Resources, the Department of Parks and Recreation, the Department of Fish and Wildlife, the Department of Forestry and Fire Protection, the California Conservation Corps, and the Wildlife Conservation Board.

Trailer Bill Language. The TBL eliminates the transfer of \$300 million to the SPIF in 2017-18.

LAO Comments.

- Administration's Plan Leaves Funding Gap for Three Initial Projects. It is highly unlikely that the \$1 billion provided in 2016-17 will be sufficient to fund all three projects that were initially proposed. While the Administration has yet to officially establish the cost of the three initial projects, its preliminary estimates place their cost at about \$1.4 billion (\$225 million for the O Street Building, \$600 million for the new Resources Building, and \$580 million for the State Capitol Annex).
- Administration Has Wide Discretion to Determine Effect on Three Projects. With the continuous appropriations process that governs the SPIF, the Administration has significant discretion to determine how to allocate funds among projects.

STAFF COMMENTS

The Subcommittee may wish to ask DGS the following:

- Why is the Administration proposing to a decrease in funding? How will this affect the Capitol Annex project?
- Provide an update on the two projects that are currently moving forward.
- Will either of these projects use lease revenue bonds? What restrictions are there if a project uses lease revenue bonds?

Staff Recommendation: Hold Open.

ISSUE 2: STATE CAPITAL OUTLAY: STATE PRINTING PLANT DEMOLITION

DGS requests \$909,000 (General Fund) to fund the preliminary plans phase of the State Printing Plant Demolition project. The project will begin the process to demolish and clear the 17-acre property of any hazardous materials to prepare it for new office space development in a future year.

BACKGROUND

The existing State Printing Plant located at 344 North Seventh Street in Sacramento was built in 1954 and has well-documented health and safety, infrastructure and programmatic deficiencies. The Office of State Publishing (OSP) is in the process of programming replacement space with the intention of using leased facilities for the new Printing Plant. Leased space for this specialized use is more appropriate for several reasons including:

- The changing nature of the printing industry and uncertainty about how much space will be required to deliver state printing services in the future.
- Increased flexibility in leased facilities for potential reduced future space needs.
- Risk related to the high cost of building new specialized space that may quickly become obsolete.

OSP and the Real Estate Services Division (RESA) are working on a final program plan and cost estimate package, which should be finalized and ready for advertising by late 2016 to early 2017. OSP should be able to move into leased space by summer 2018 or earlier.

The existing Printing Plant facility has significant structural deficiencies, in addition to health safety concerns related to the deteriorating facility, including asbestos-containing insulation, paint, caulking, and tile. Heavy metal contaminants exist in many areas of the Printing Plant, most likely originating from pigments present in all inks of the past.

In 2015, DGS completed a Long Range Planning Study of the Sacramento Region (Planning Study), which assessed the condition of office buildings in the DGS Sacramento portfolio. The Planning Study identified those structures most at risk based on building industry standards. Using the infrastructure risks reported by the facility condition assessments and the 2016 Ten-Year Sequencing Plan as a guide, DGS's 2017-18 Five Year Infrastructure Plan demonstrates a net need of approximately 2.4 million net usable square feet (NUSF) of office space. This includes the amount proposed for development on the Printing Plant site, as well as a shift of nearly 1.2 million NUSF from leased space into renovated or new state office space.

The proposed project would do the following:

- Support RESD's strategic mission to provide the highest level of customer service in fulfilling state agencies' facility and real property needs by providing new office space development to replace existing deficient office space.
- Align with the results of the 2015 Sacramento Region Office Planning Study, which identifies the OSP site as a prime site for state-owned office space development.

LAO Comments.

- **Approve Printing Plant Demolition Preliminary Plan Funding.** The LAO recommends that the Legislature approve the proposed \$909,000 to complete preliminary plans for a project to demolish the existing printing plant because the demolition appears justified based on the information provided by the department—regardless of the ultimate use of the site.
- **Seek Additional Information From Administration.** The LAO continues to recommend that the Administration provide additional information on its strategy for state buildings in the Sacramento area—including information on the new building at the printing plant site as well as other proposed projects. This information should include any updates to the strategy currently planned by the administration, as well as an evaluation of the strategy's costs, benefits, and potential alternative approaches. The Legislature will want to have this information prior to authorizing any additional funding for construction of projects in the strategy, such as construction of a new building at the printing plant site.

STAFF COMMENTS

The Subcommittee may wish to ask the following:

- How was the OSP evaluated in the 2015 Long Range Planning Study?
- The preliminary phases of the demolition plan will be funded from the General Fund; will future work on this site also use General Fund revenues? Could it potentially use funding from the State Project Infrastructure Fund?

Staff Recommendation: Hold Open.

ISSUE 3: LEGISLATIVE PROPOSALS

There are three BCPs providing resources to legislative proposals: two proposals are related to bills enacted in 2016 and one proposal addresses bills enacted in prior years.

BACKGROUND

1. **Building Standards Commission, Exterior Elevated Elements (SB 465).** The California Building Standards Commission (CBSC) requests an augmentation of \$208,000 from the Service Revolving Fund and one permanent position to meet the legislative mandates enacted by SB 465 (Chapter 372, Statutes of 2016). SB 465 requires CBSC to submit a report to the Legislature by January 1, 2018, containing the findings and recommendations for statutory changes to the California Building Code.

SB 465 requires a working group formed by the CBSC to study recent exterior elevated element failures in the state, solicit technical expertise as appropriate, develop and submit a report to the Legislature containing any findings and possible recommendations by January 1, 2018, and submit any recommended changes to the CBSC. In April 2016, CBSC convened the required working group. In December 2016, the working group provided CBSC with an update of its work and in January 2017, CBSC voted to approve emergency regulations for exterior elevated elements.

Once adopted, building standard regulations demand ongoing review, analysis, and maintenance to account for the continuous advancements in building construction technology as well as changes in the needs and priorities of the state. The adoption of new building standards often necessitates the development of additional training, educational materials and subsequent amendments.

This current year request will include \$150,000 to contract with a forensic engineering firm to investigate exterior elevated element related building materials, systems and components that fail or do not function as intended.

LAO Comments. The LAO deems the workload associated with developing new standards under the emergency regulations as largely temporary and to most likely be completed within a couple of years. The LAO acknowledges that there may be future workload associated with Title 24 updates, but the level of that workload is uncertain and not likely to be sufficient to justify a permanent position. The LAO recommends approval of one position and \$208,000 on a two-year limited-term rather than an ongoing basis.

2. **Model Water-Efficient Landscaping Ordinance (AB 2515).** The CBSC requests a permanent augmentation in expenditure authority of \$208,000 from the Building Standards Administration Special Revolving Fund and one permanent position in fiscal year 2017-18 to meet the ongoing workload associated with AB 2515 (Chapter 576, Statutes of 2016). AB 2515 requires CBSC staff to continuously monitor activities associated with the Model Water-Efficient Landscaping Ordinance (MWELo) and assist the Department of Water Resources in coordinating and synchronizing a standardized MWELo revision process with the triennial code adoption cycle.

AB 1420 (Laird, Chapter 628, Statutes of 2007), directed the Department of Water Resources (DWR) to form an independent technical panel (ITP) for providing information and recommendations to the DWR and the Legislature on new demand management measures, technologies, and approaches to water use efficiency. The DWR has solicited comments from CBSC and other appropriate state agencies with subject matter expertise on the Model Water Efficient Landscaping Ordinance (MWELo) portion of the draft report to assist in its review and determination prior to submitting a finalized report to the Legislature.

AB 2515 requires DWR on or before January 1, 2020, and every three years thereafter, to either update the MWELo or make a finding that an update is not useful or necessary. The bill also requires DWR to submit updates, if any, to the CBSC during the Title 24 triennial update process. The requested permanent position will be used to meet the new requirements enacted by AB 2515 as well as the foreseeable ongoing workload. According to DGS, AB 2515 requires the CBSC to do the following:

- Study and become well-versed in existing MWELo regulations and the regular rulemaking processes for adopting such regulations into Title 23 of the California Code of Regulations.
- Continuously monitor current MWELo regulations and associated rulemakings.
- Provide ongoing coordination and assistance to DWR in synchronizing a standardized MWELo revision process with the triennial code adoption cycle.
- When MWELo updates are submitted by DWR, CBSC shall carry out the required administrative duties associated with publicly vetting and further developing and proposing for adoption MWELo updates into the CBSC, subject to the triennial code adoption cycle schedule.
- Routinely review and maintain any MWELo updates adopted into the California Green Building Standards Code. Indirectly obliges CBSC's regular participation in providing technical comments concerning MWELo to DWR on all future ITP reports.

LAO Comments. The LAO points out that the bill language does not require CBSC to conduct any specific monitoring activities. It is uncertain whether DWR will update the MWELo. If DWR does update then there may be additional workload for CBSC. However, it is premature to provide staff when it is not clear whether DWR will even propose an update to MWELo. The LAO recommends rejecting the proposal.

- 3. Building Standards Workload Increases.** The CBSC requests a permanent budget augmentation of \$154,000 (Special Fund) and one permanent position in 2017-18, with an additional \$145,000 (Special Fund) and one permanent position beginning in 2018-19 to continue meeting the legislative mandates enacted by AB 32 (2006), AB 341 (2013), AB 1092 (2013), SB 401 (2013), AB 2282 (2014) and the directives issued via Executive Orders B-16-12 and B-29-15.

The requirements of AB 341, AB 2282 and Executive order B-29-15 have necessitated ongoing attention and resources much greater than initially anticipated which have left an unfunded burden on existing CBSC technical staff. Until now, the CBSC has absorbed the initial workload and fiscal impacts of SB 401 and AB 1092. However, the incremental increase in ongoing workload to the CBSC caused by these and the other requirements described are no longer absorbable.

Due to the distinct nature of rulemaking for the California Building Standards Code, the success of the CBSC is heavily weighted on retaining veteran staff with their indispensable knowledge of the CBSC's program and policies, the code adoption cycles, related proposing and adopting state agencies, associated provisions in statute and regulation, building standards rulemaking, the building industry, local enforcement agencies, and the regulated community. Securing permanent positions is absolutely critical due to the specialized technical knowledge required for the development, maintenance, and publication of the California Building Standards Code.

STAFF COMMENTS

- 1. Building Standards Commission, Exterior Elevated Elements.** Staff has concerns about the ongoing work. Staff would recommend a two-year limited term funding for the position. This will provide additional review of the ongoing nature of the workload.
- 2. Model Water-Efficient Landscaping Ordinance.** The proposed workload is not consistent with the language in statute. The language does not require specific duties be performed by the commission, but requires DWR to submit updates to CBSC for consideration during its triennial revision process. The subcommittee may wish to ask DGS what happens if the DWR does not act? If that happens, what will this additional position be responsible for?

3. **Building Standards Workload Increases.** The CBSC received one limited-term position to address the workload. Additionally, a retired annuitant also is performing this work. The limited-term position expires on June 30, 2018, and the retired annuitant will leave the position at the end of the fiscal year. The resources requested will be needed to backfill the positions.

Staff Recommendation: Approve the Exterior Elevated Elements on a two year, limited term funding, approve the resources for the Building Standard Workload Increases, and hold open the Model Water – Efficient Landscaping ordinance.

ISSUE 4: ELECTRIC VEHICLE SERVICE EQUIPMENT

The Office of Sustainability, within DGS, requests an augmentation of \$6.7 million (\$3.3 million General Fund and remaining from the Service Revolving Fund) and three permanent positions to begin the installation of Electric Vehicle Service Equipment (EVSE) in state facilities.

The Governor's budget also proposes budget bill language that requires DGS to certify that it has maximized non-state sources of funding prior to expending state funds. The language also allows the Department of Finance to augment non-General Fund appropriations in other departments' budgets by an amount sufficient to reimburse DGS for Zero Emission Vehicles (ZEV) activities.

BACKGROUND

The Governor's 2016 Zero Emission Vehicle Action Plan (Action Plan) establishes the goal that 50 percent of the state's annual light-duty fleet purchases be ZEVs by 2025. It also establishes a goal of creating charging availability in at least 5 percent of workplace parking spaces by that date. Currently, DGS is in the process of surveying departments to gather information on their current state fleet, parking facilities, and charging stations. The survey also requests information from departments on their plans to purchase additional ZEVs and meet state targets. DGS expects to receive survey responses from departments in early 2017. After providing DGS with survey responses, departments are responsible for coordinating with DGS to perform facility assessments that will examine electrical infrastructure and other site conditions and identify appropriate locations for charging stations.

The objective of this proposal is to provide funding for EVSE assessment, design, installation, and program oversight to support ZEV purchases in the state fleet, with a secondary goal of installing EVSE at workplace parking spaces in cases where it is especially cost effective to do so. When state agencies need to add or replace vehicles within its fleet, each agency is required to submit a fleet acquisition plan to DGS' Office of Fleet and Asset Management. State agencies must be able to demonstrate sufficient ZEV infrastructure to support an agency's existing and projected ZEV purchases in order to receive acquisition approval. Beginning in 2017-18, state agencies will be subject to a "ZEV/hybrid first" policy requiring state agencies to procure battery electric, hydrogen fuel cell, plug-in hybrid, and/or hybrid vehicles, in lieu of fossil fuel consuming, internal combustion vehicles and other specified vehicles when available in a comparable vehicle class on state contract.

This plan addresses the projected EVSE need in future years and has two phases. Phase one requires state agencies to conduct a five-year ZEV infrastructure readiness survey that evaluates and identifies current state fleet, parking facilities, and charging stations. Concurrently, DGS will assist departments in determining total need for EV infrastructure and in prioritizing sites needing assessment. Surveys were due to be submitted to DGS by February 15, 2017. As of March 17, 2017, DGS has received more than 50 percent of expected responses, and was in the process of contacting

departments to gather the outstanding data. Additionally, agencies with 25 or more facilities were given the option to submit their survey results in two parts if they need additional time. Agencies choosing this option would still be required to submit all fleet data by February 15th, but would have until June 1, 2017, to submit non-fleet data.

Once surveys are completed, DGS reviews them for completeness and advises agencies as they prepare their full five-year ZEV infrastructure readiness plans. The readiness surveys will form the foundation for each agency's phase two ZEV infrastructure plan. In phase two of the five-year ZEV infrastructure plan, DGS will evaluate each agency's survey to ensure that both fleet and ZEV infrastructure planning is adequately addressed and prioritized. DGS will also work with agencies to identify multi-departmental and regional opportunities that make use of economies of scale for related ZEV infrastructure contracts and grants. At the conclusion of DGS' review, each agency shall begin conducting phase two site assessments; these assessments are detailed analyses of a facility's ability to support EVSE units and identify limitations. Prioritization should be given to state-owned facilities identified as being in need of EVSE improvements in order to support the agency's ZEV fleet procurements through FY 2020- 21.

The following table outlines the timeline for implementation:

Estimated timeline for work plan	
Hire Staff	07/01/2017 – 10/31/2017
Survey Data Analysis and Funding	07/01/2017 – 08/31/2017
Assessments	11/01/2017 – 02/28/2018
Design and Engineering	03/01/2018 – 05/31/2018
Bid, Construction, and Activation	06/01/2018 – 12/15/2018
Program Oversight and Support	07/01/2017 – 04/01/2021

Budget Bill Language

Add the following provisions to Item 7760-005-0666

1. The amount appropriated in this item shall be used for engineering assessments and electric vehicle charging infrastructure at state facilities. Prior to the expenditure of state funds, the Department of General Services shall certify that it has maximized available funding from non-state resources for this purpose.
2. Upon presentation of project cost information by the Department of General Services, the Director of Finance may augment any non-General Fund item of appropriation by an amount sufficient to reimburse the Department for the activities specified in Provision 1.

LAO Comments

- **Ensure Consistency With Legislative Priorities.** The LAO recommends that the Legislature determine whether the Administration's goals for state fleet and state employee ZEVs in the Administration's Action Plan are consistent with its policy and funding priorities prior to taking action on the Governor's proposal.
- **Limit Funding to 2017-18.** If the Legislature is comfortable with the Administration's goals, the LAO recommends approval on a one-year limited-term basis in 2017-18. Funding for future years is not justified at this time because it is unclear whether the proposed funding amount is the appropriate level for future years. The department has not identified how out-year funding for state government ZEVs will be allocated - to assessments, fleet charging stations, and workplace charging stations.
- **Direct DGS to Report on Other Funding Sources.** Prior to approving the proposal, the LAO recommends to consider other funding sources besides the General Fund for state government ZEVs and direct DGS to report at budget hearings about other funding sources it has considered and provide an update on its efforts to identify other potential sources of funding.

STAFF COMMENTS

Staff has not received any concerns about this proposal. However, staff agrees with the LAO about whether the resources should be ongoing. It would appear that more information in a year will help ensure that the appropriate resources are provided for the project.

Staff Recommendation: Hold Open.

ISSUE 5: STALE DATED WARRANTS TRAILER BILL LANGUAGE

The proposed trailer bill language is technical clean up to TBL that was part of the 2016 Budget Act and will provide a mechanism to address stale dated warrants.

BACKGROUND

According to the Government Operations Agency (Agency), in 2015-16, the Administration proposed and the Legislature approved moving the Government Claims Program (GCP) from the Victim Compensation and Government Claims Board to DGS. As part of that transfer, responsibility for stale dated warrants was delegated to departments. Section 905.2(B) was amended to provide that payments for these warrants, if allowed, shall be paid from the issuing entity's current appropriation.

Since the trailer bill was enacted, departments have been receiving these claims and performing the due diligence with the State Controller's Office (SCO) to ensure that the checks are valid and that they have never been cashed. However, at least one warrant has been presented that cannot be paid from the issuing entity's appropriation. This was a check written by the Department of Motor Vehicles (DMV) in 2001 that was paid from a special deposit fund that has since reverted to the General Fund. Because the DMV does not have any General Fund, and the original check was from a fund source that has since reverted, they cannot pay it from their existing appropriation. As a result, there is no legal mechanism to re-issue this check.

This technical change is proposed to allow for stale dated warrants that cannot be paid from existing departmental appropriations to be included in the annual equity claims bill. The trailer bill language proposes to provide a limited exception to the delegation in recognition that more of the stale dated warrants could come up in the future. The GCP at DGS does not handle stale warrants anymore, but since they are required to present claims needing a legislative appropriation annually, the TBL proposes to include these "loner" warrants in the DGS claims bill while still requiring departments to perform the due diligence they would otherwise need to do for the warrants.

If not approved, there will not be a legal mechanism to reissue stale warrants that cannot be paid from departmental appropriations. As a result, individuals who present these warrants will not be able to access the funds to which they are otherwise legally entitled.

STAFF COMMENTS

The TBL is technical clean up to allow for these stale warrants to be paid. According to the Agency there are about 600 claims out of the workload of 6,600 claims. The fiscal impact is minimal because the stale warrants are for a relatively small donor amount, typically about \$130.

Staff Recommendation: Adopt the placeholder TBL.

ISSUE 6: SCHOOL CONSTRUCTION FILING FEES TRAILER BILL LANGUAGE

The budget proposes trailer bill language to allow DGS to adjust filing fees established for the Division of the State Architect (State Architect), that accompany applications to construct or alter any school building (when costs exceed \$100,000) in order to maintain a reasonable balance in the associated fund (Public School Planning, Design, and Construction Review Revolving Fund). The TBL includes grants the State Architect the authority to establish a subsequent fee schedule through the regulatory process and requires a reduction of fees if the fund balance ever exceeds six months expenditures.

BACKGROUND

According to DGS, the State Architect will be insolvent this fiscal year. Current projections indicate that the State Architect will require a loan from DGS for \$5 million for fiscal year 2016-17, and \$10 million for fiscal year 2017-18 to cover operations. The maximum allowable fee has not changed since its establishment in 1981, despite an increase in responsibilities for the State Architect since that time.

According to DGS, a statutory change to allow the State Architect to modify its primary fee structure is necessary in order to maintain the State Architect's solvency and ensure the safety and timeliness of school construction projects. Administrative options have been and will continue to be insufficient to remedy the deficit, requiring the State Architect to borrow from DGS.

The filing fees are used to pay the salaries of architects and engineers that review the plans submitted by school districts and community colleges. In recent years there have been several salary increases that have led to a request to increase fees. Increased sophistication of buildings leading to longer review times, and new building requirements has also necessitated this fee increase. Fees are generally collected at the time of plan submission and are then adjusted at the end of construction, if needed, due to any cost adjustments that were not predicted at the beginning of the project. The fee rate has not been adjusted since the 1990s.

Trailer Bill Language

Under existing law, plans for the construction or alteration of any public elementary or secondary school building, as well as community colleges are required to be submitted to DGS for approval. A filing fee is also submitted to DGS with those plans. Currently, DGS has the authority to adjust the filing fee amounts within the below specified limits:

- For the first \$1 million, the fee should not be more than 0.7 percent of the estimated cost.
- For project costs larger than \$1 million, the fee should not be more than 0.6 percent of the estimated cost.
- In any case the minimum fee is \$250.

The proposed TBL would adjust the fees as follows:

- For the first \$1 million, the fee should not be more than 1.25 percent of the estimated cost.
- For costs larger than \$1 million, the fee should not be more than one percent of the estimated cost.

The TBL also would require DGS to reduce fees if the fund balance exceeds six months of expenditures.

STAFF COMMENTS

The Subcommittee may wish to ask DGS whether K-12 school districts or community colleges have weighed in on the fee increases? How do the fee increases compare to potential construction delays as far as costs go?

Staff Recommendation: Adopt placeholder trailer bill language.

**7760 DEPARTMENT OF GENERAL SERVICES
8790 CALIFORNIA COMMISSION ON DISABILITY ACCESS****ISSUE 7: TRANSFER OF THE CALIFORNIA COMMISSION ON DISABILITY ACCESS TO THE
DEPARTMENT OF GENERAL SERVICES AND TRAILER BILL LANGUAGE**

The Governor's budget proposes for the California Commission on Disability Access (CCDA) to consolidate into the DGS effective July 1, 2017. In conjunction with CCDA's concurrent proposal, DGS requests to establish the CCDA budget within the Statewide Support Services Administration. General Fund expenditure authority in the CCDA budget will be transferred to the DGS in the amount \$650,000 and five program positions.

The budget also provides trailer bill language to implement the provision of transitioning CCDA to DGS.

BACKGROUND

The CCDA is a 17-member independent commission consisting of 11 public members and six ex-officio nonvoting members. The Legislature created the CCDA with a vision of developing recommendations that will enable persons with disabilities to exercise their right to full and equal access to public facilities, and that will facilitate business compliance with the applicable laws, building standards and regulations to avoid unnecessary litigation.

This proposal will establish the CCDA in DGS and transfer its statutory authorities to DGS. CCDA will continue to run as it has in the past, however all the statutory requirements of the CCDA will be performed under DGS.

STAFF COMMENTS

Since the proposal transfers the duties of CCDA to DGS, there is no impact to the budget. The Subcommittee may wish to ask DGS if CCDA will retain its autonomy and independence once the transfer to DGS is complete?

Staff Recommendation: Approve as budgeted and adopt placeholder trailer bill language.

8885 COMMISSION ON STATE MANDATES**ISSUE 8: ELECTION MANDATES**

This item provides the findings of a report by the Department of Finance on the election mandates.

BACKGROUND

The state currently has in place six local government mandates that govern the conduct and activities associated with state and local elections. The first of the activities determined to be a mandate was adopted in 1975, and the most recent mandate was adopted in 2009. Three of the six mandates have been suspended in the budget (and thus not required to be conducted by local governments) since 2011, and the remaining three were suspended beginning in 2013. The Governor's budget proposes to continue the suspension of all six election mandates.

Under legislation adopted along with the 2015 Budget Act, the Department of Finance (DOF) was required to submit a report to the Legislature regarding the funding of the election mandates. The language in SB 84 (Committee on Budget and Fiscal Review), Chapter 25, Statutes of 2015, states:

“The Department of Finance, in collaboration with the Secretary of State and the Legislative Analyst's Office, shall convene a working group to evaluate alternatives for funding election-related mandates. The working group shall commence no later than September 1, 2015. By September 1, 2016, the Department of Finance shall submit to the Legislature a report that summarizes the findings of the working group, including recommendations to the Legislature.”

The report was provided to the Legislature in October of 2016. Prior to 1979 and the passage of Proposition 4, local election officials primarily used property tax revenues to pay for election costs. After that, local governments typically have submitted claims for the reimbursement of election costs associated with mandates imposed by legislation. As noted above, Proposition 1A requires the state to either fund or suspend local mandates, including those associated with elections. The six election mandates are:

- Absentee Ballots. Requires that absentee ballots be available by election officials to any registered voter.
- Absentee Ballots – Tabulation by Precinct. Requires that an election official's listing of absentee voters include the voter's precinct.
- Modified Primary Election. Requires voter registration cards to include a notice to decline-to-state voters of their ability to vote on a party ballot if allowed by the party.
- Permanent Absent Voters. Requires election officials to allow any voter to apply for permanent absent voter status.

- Voter Identification Procedures. Requires election officials to compare the signature on each provisional ballot with the signature on the voter's affidavit of registration using specified procedures.
- Voter Registration Procedures. Requires county clerks to accept affidavits of registration at any time up to 28 days immediately preceding the election.

Additionally, the Department of Finance was required to survey the counties about their election practices. The survey was sent to 58 counties on December 13, 2016. The survey consisted of six questions targeting the specified suspended mandates as well as an additional question inquiring to the source of funds used to carry out the activities. DOF received 47 responses, of which 40 were complete and deemed usable.

The results of the survey are summarized below:

1. Absentee Ballots: Requires absentee ballots be made available to any registered voter. Ninety-five percent of respondents fulfilled some or all of the activities associated with this mandate.
2. Absentee Ballots - Tabulation by Precinct: Requires the county's list of absentee voters to include the voter's election precinct. All 40 respondents fulfilled this mandate.
3. Modified Primary Election: Requires partisan primary ballots to be provided to non-affiliated voters who request such a ballot. All 40 respondents fulfilled this mandate.
4. Permanent Absentee Voters II: Requires county elections officials to allow any voter to apply for permanent absent voter status. All 40 respondents fulfilled this mandate.
5. Voter Identification Procedures: Requires elections officials to compare the signature on each provisional ballot envelop with the signature on the voter's affidavit of registration. Only two respondents failed to perform this mandate.
6. Voter Registration Procedures: Requires county clerks to accept affidavits of registration at any time up to 28 days before any election. All respondents performed this activity.
7. Of 40 respondents, 38 reported using county general funds to carry out the requirements of the suspended mandates. Two respondents identified no funding sources.

STAFF COMMENTS

Staff will note that since the survey was completed on a voluntary basis, there is no way of knowing which counties responded. So that could possible mean that one of the largest counties, with the most voters is not represented by the survey. On the other hand, it could mean the opposite. The survey did not provide a mechanism to account for this.

The Subcommittee may wish to have DOF expand on the survey results.

Staff Recommendation: This item is for information only.
