

AGENDA
ASSEMBLY BUDGET SUBCOMMITTEE NO. 4
ON GENERAL GOVERNMENT

Assemblymember John Dutra, Chair

TUESDAY, MAY 18, 2004
STATE CAPITOL, ROOM 437
1:30 P.M.

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ITEM 0250 JUDICIAL

ISSUE 1: PLACER - NEVADA COUNTY SHARED USE FACILITY

The Administration requests \$544,000 from the Courthouse Construction Fund to consolidate court operations in Placer and Nevada counties. This request would fund the site acquisition and preliminary plans for a 25,500 sq. ft. facility in Truckee that would combine functions of the Superior Courts in these counties. This project is an attempt to enhance economies through a consolidation of court services.

The Administration also proposes Budget Bill Language requiring the Judicial Council to report to the Legislature and the Department of Finance on the reduction to capital and court operational expenses one year and three years after occupancy of the facility.

ISSUE 2: PORTOLA-LOYALTON NEW BRANCH COURT

The Administration requests \$75,000 from the Courthouse Construction Fund to consolidate court operations in Pumas and Sierra counties. This request would fund the site acquisition and preliminary plans for a 5,400 sq.ft. facility that would combine functions of the Superior Courts in these counties. This project is an attempt to enhance economies through the consolidation of court services.

The Administration also proposes Budget Bill Language requiring the Judicial Council to report to the Legislature and the Department of Finance on the reduction to capital and court operational expenses one year and three years after occupancy of the facility.

ITEM 0690 OFFICE OF EMERGENCY SERVICES

ISSUE 1: INCREASED FUNDING FROM THE NUCLEAR PLANNING ASSESSMENT SPECIAL ACCOUNT

The Administration proposes the increase in funding from the Nuclear Planning Assessment Special Account by \$20,000 and \$49,000 for state operations and local assistance respectively. This increase is possible due to the application of a cost of living adjustment in expenditures from this fund.

ISSUE 2: REAPPROPRIATION - PERIMETER FENCE

The Administration proposes a reappropriation of funds from Item 0690-301-0001 Budget Act of 2003. This reappropriation is necessary due to delays by the department in negotiating a contract with the architect and engineering firms for the perimeter security fence.

ISSUE 3: HOMELAND SECURITY, 2003 URBAN AREA SECURITY INITIATIVE

The Administration proposes an increase in federal spending authority by \$49,452,000 to provide the 2003 Federal Urban Area Security Initiative (UASI) grant to Los Angeles, San Francisco, San Diego, Sacramento, and Long Beach. The State is prohibited from using these funds; therefore all of the funds will be going to these five cities to fund various activities. Including the development of the urban area homeland security strategies, the acquisitions of eligible equipment, and training exercises related to emergency responders who would prevent and respond to a terrorist attack.

ITEM 0820 **DEPARTMENT OF JUSTICE****ISSUE 1: REIMBURSEMENT AUTHORITY REDUCTION**

The Administration proposes to transfer reduction of \$3 million in reimbursement authority from the Division of Law Enforcement to reflect the expiration of various interagency agreements and grants.

ISSUE 2: CRIMINAL BACKGROUND CHECKS FOR THE DEPARTMENT OF CONSUMER AFFAIRS AND THE DEPARTMENT OF REAL ESTATE

The Administration proposes an increase in authority of \$1,800,000 from the Fingerprint Fee Account to process criminal offender record information from the Department of Real Estate and the Department of Consumer Affairs. This workload would require the addition of 17 permanent positions and 9 positions for a two-year limited term.

Under current law the Department of Real Estate requests a criminal background check for persons that successfully passed the real estate licensing examination. Chapter 807 Statutes of 2003 (SB 1080) would direct the department to perform a background check either at the time of the application of the examination or the license. The Department of Justice has not estimated 45,000 additional background checks will be performed due to this change in law.

Chapter 874, Statutes of 2003 would increase or expand the number of background checks performed by: The Bureau of Naturopathic Medicine (200 requests a year); Structural Pest Control Board (3,200 requests a year); and Contractors' State Licensing Board (63,500 requests a year).

ITEM 1880 STATE PERSONNEL BOARD

ISSUE 1: LIMITED EXAMINATION APPOINTMENT PROGRAM

The Administration proposes the reduction of reimbursement authority to the State Personnel Board (SPB) by \$157,000 and 2.1 positions used to administer the Limited Examination Appointment Program (LEAP). This reflects the termination of funding from the Department of Rehabilitation. The LEAP program was established in 1984 as a demonstration project to facilitate the employment of persons with disabilities in a variety of entry-level civil services classifications. In 1989, it became a permanent program pursuant to Government Code 19240 et.seq. LEAP seeks to provide a more fair and accurate method to evaluate the qualifications of persons with disabilities as compared with the standard selection process. The LEAP program has proven to be an effective program for state departments to encourage equal employment opportunities for persons with disabilities. Under this program, qualified persons with disabilities are specifically recruited, examined and placed on separate employment lists. Departments may consider individuals on these lists along with candidates on the regular employment lists when filling or vacant or newly created positions. According to SPB, over 3,900 persons with disabilities have been appointed to civil service positions under this program.

Currently, the LEAP program is partially funded through the General Fund and partially with an interagency agreement through the Department of Rehabilitation (DOR). Under this agreement, DOR passes federal grant funds to SPB to administer the program as specified by law. Due to changes in federal spending criteria only DOR clients may be assisted by these grant funds.

SPB has indicated that this reduction would affect the following services: development and maintenance of policies and procedures; marketing; technical program and training guidance to state departments; coordination with DOR to determine eligibility requirements; verification of appointments; administration of LEAP exams.

According to SPB, the cost to employ a LEAP candidate would average approximately \$1,500 per client. This would compare with public assistance costs of \$16,380.

The subcommittee may want to reject the Finance Letter, restore the 2.1 positions and provide \$157,000 from the General Fund to continue support for this program.

ITEM 1880 STATE PERSONNEL BOARD

ISSUE 2: RESTORATION OF LEGAL COUNSEL POSITION

The Administration proposes the restoration of a legal counsel position that was eliminated for excessive vacancy pursuant to Government Code Section 12439.

ITEM 8180 PAYMENT TO COUNTIES FOR THE COST OF HOMICIDE TRIALS

ISSUE 1: TRANSFER OF FUNDS TO TRIAL COURTS

The Administration proposes the transfer of \$254,000 from this item to the trial courts (Item #0450). This results from a claim for extraordinary costs associated with homicide trials in Shasta and Mendocino counties.

ITEM 0250 JUDICIAL

ISSUE 1: REAPPROPRIATION OF FUNDS FOR ORANGE COUNTY APPELLATE COURTHOUSE

The Administration proposes to re-appropriate fund originally appropriated in Item 0250-301-0660 (1) from the Budget Act of 2002 that was subsequently re-appropriated in Item 0250-490 Budget Act of 2003, These funds were the acquisition of the courthouse site for the Fourth Appellate District. These funds are available through June 30, 2005. The proposed re-appropriation would make funds available through June 30, 2006.

Since this is the second proposed re-appropriation to acquire a replacement courthouse for the Fourth Appellate District. The subcommittee may want to adopt budget bill language to revert these funds to the Trial Court Facilities, Construction Fund (Fund #3037) if a site for the appellate courthouse has not been determined by November 30, 2004. If reverted, the funds may be used to address the needs of the trial courts pursuant to the Trial Court Facilities Act (SB 1732, Escutia, Chapter 1082, Statutes of 2002) which, requires the Judicial Council (JC) to negotiate with the superior court of each county. To enter into agreements concerning the transfer of responsibility for court facilities from that county to the JC. Under SB 1732 (Escutia), negotiations related to the transfers are to take place between July 1, 2003 and June 30, 2007.

Proposed Budget Bill Language

Item 0250-490 Re-appropriation, Judicial Council. The balance of the appropriation provided in the following citations are re-appropriated for preliminary plans and site acquisition costs and shall be available for encumbrance until June 30, 2006. 0660- Public Buildings Construction Fund (a) Item 0250-301-0660, Budget Act of 2002 (Ch. 379, Stats. 2002) as reappropriated by Item 0250-490, Budget Act of 2003 (Ch. 157, Stats. 2003)

Provision:

1. *The funds appropriated in this item shall revert to the Trial Court Facilities Construction Fund (#3037) if a site for the replacement courthouse for the Fourth Appellate District, Orange County has not been determined by November 30, 2004.*

ITEM 5460 DEPARTMENT OF YOUTH AUTHORITY

ISSUE 1: SOUTHERN YOUTH CORRECTIONAL RECEPTION CENTER AND CLINIC; HEMAN G. STARK YOUTH CORRECTIONAL FACILITY

The Administration proposes an increase of \$2 million from bond funds to make renovations for housing and education programs at the Southern Youth Correctional Center and Clinic (Norwalk), and the Heman G. Stark Youth Correctional Facility (Chino). These changes are needed to accommodate wards previously residing in the Fred C. Nelles Youth Correctional Facility, which is in the process of closure.

ITEM 8380 DEPARTMENT OF PERSONNEL ADMINISTRATION

ISSUE 1: UNIT 17 SCHOLARSHIP FUND

The Administration proposes the reversion of \$250,000 to State Nurses Scholarship Fund for Bargaining Unit #17 members (registered nurses) The State is currently under the obligation to make annual payments to this fund. The funds appropriate for this purpose is to reimburse employees for educational costs including books and tuition The Administration no longer believes that these funds are necessary due to the expiration of the contract. In a related issue, the Administration proposes to rescind the scheduled raises that are to take effect at the end of the current bargaining agreement. Such a change would appear to indicate that the State intends to renegotiate the existing contract. Since this proposal would end the scholarship program, it would appear that the Administration believes that such a program does not have a positive effect on the States' ability to fill and retain its nursing positions.

The subcommittee may want to consider whether to retain this funding in order to encourage the training of nurses to state service.