

SUBCOMMITTEE NO. 5

Agenda

Senator Loni Hancock, Chair
Senator Joel Anderson
Senator Curren D. Price, Jr.



Thursday, May 9, 2013
9:30 am or Upon Adjournment of Session
Room 113

Consultants: Joe Stephenshaw

OUTCOMES

Item Number and Title

Page

Vote Only

1750 California Horse Racing Board
(1) Exchange Wagering (Approved 2-0, Price absent)

To be Heard

- 5225 California Department of Corrections and Rehabilitation
 - (1) Proposition 36 Workload.....(Approved 2-0, Price absent)
 - (2) Sex Offender Treatment for Non-High Risk Parolees (Approved 2-0, Price absent)
 - (3) Office of Legal Affairs Attorney General Fees(Approved \$6.4 million on a one-time basis and budget bill language as outlined in the Staff Recommendation, 2-0, Price absent)
 - (4) Correctional Officer Academy Budget Bill Language (Approved with revisions to limit expenditures to the academy, exclude from 9840, and cap at \$16.6 million, 2-0, Price absent)
- 8885 Commission on State Mandates
 - (1) Domestic Violence Background Checks(Approved 2-0, Price absent)
 - (2) Identity Theft Investigations(Approved 2-0, Price absent)

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Vote Only

California Horse Racing Board (1750)

Issue 1 – Exchange Wagering

Governor’s Proposal. An April finance letter proposes \$443,000 from the Horse Racing Fund, per-year on a two-year limited-term basis, to implement exchange wagering in California.

Recommendation. Approve as budgeted.

Items to be Heard

California Department of Corrections and Rehabilitation (5225)

Issue 1 – Proposition 36 Workload

Governor’s Proposal. An April Finance Letter proposes \$766,000 General Fund in 2013-14 (\$153,000 General Fund in 2014-15) to fund overtime needed to address workload resulting from the passage of the Three Strikes Reform Act of 2012 (Proposition 36).

Recommendation. Approve as proposed.

Issue 2 – Sex Offender Treatment for Non-High Risk Sex Offender Parolees

Governor’s Proposal. An April Finance Letter proposes \$5 million General Fund in 2013-14 (\$12.4 million ongoing, beginning in 2014-15) in order to provide mandatory sex offender treatment to both high-risk and non-high-risk sex offenders.

Recommendation. Approve as proposed.

Issue 3 – Office of Legal Affairs Attorney General Fees

Governor’s Proposal. An April Finance Letter proposes \$11.5 million General Fund to augment CDCR’s, Office of Legal Affairs’ budget for payment of fees and costs to the Office of the Attorney General (OAG) for litigation services provided to CDCR.

Recommendation. Reject the proposal. Adopt budget bill language requiring CDCR to report to the Legislature, by April, 1 2014, on 1) the efforts the department has taken to contain OAG legal services costs, 2) the savings associated with these actions and the extent to which these savings may increase in future years, and 3) any additional steps the department could take to create efficiencies and the amount of savings such steps would create or the reasons that further cost savings measures are not feasible. In addition, the report should contain detail regarding drivers of these costs, including: 1) the types of cases that drive the need for OAG services, 2) the extent to which any of these cases can be handled by CDCR staff in the Office of Legal Affairs, 3) the number of cases in each type, and 4) a breakout of the type of services provided by the OAG for each case type, along with a breakout of costs, or billable hours, associated with the services performed.

Issue 4 – Correctional Officer Academy Budget Bill Language

Governor’s Proposal. An April Finance Letter proposes budget bill language to authorize the Department of Finance, upon notification to the Legislature, to augment CDCR’s Correctional Officer (CO) academy, based on a need to train cadets above the currently-funded level.

Upon order of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount necessary to address the department’s projected Correctional Officer cadet need. The Department of

Finance shall provide notification in writing to the Joint Legislative Budget Committee of any augmentation approved under this provision not less than 30 days prior to the effective date of the augmentation. This 30-day notification shall include: a) a comprehensive analysis of the Correctional Officer need including vacant, filled, and temporary positions, b) assumptions relating to attrition rate, available resources, and processing timelines, and c) a detailed workload and cost analysis that compares the current funding level to the overall cadet need.

Recommendation. Approve the requested budget bill language, revised to set a cap of \$16.6 million.

Commission on State Mandates (8885)

Issue 1 – Domestic Violence Background Checks

Governor’s Proposal. The Governor’s budget proposes to suspend the mandate that requires local prosecutors to review criminal histories of defendants accused of domestic violence-related crimes and provide specified information to the courts. It also would allow the state to defer, to a future date, its obligation to pay the \$15.9 million related to this mandate, owed to local governments. Suspending the mandate would make local compliance optional in the budget year.

Recommendation. Approve the suspension, as proposed by the Administration.

Issue 2 – Identity Theft Investigations

Governor’s Proposal. The Governor’s budget proposes to suspend the mandate requirements that local law enforcement take police reports on cases of suspected identity theft and begin subsequent investigations. Suspending the mandate would make local compliance optional in 2013-14. It also would allow the state to defer to a future date, its obligation to pay the \$67.7 million owed to local agencies.

Recommendation. Approve the suspension, as proposed by the Administration.