

# SUBCOMMITTEE NO. 5

# Agenda

Senator Loni Hancock, Chair  
Senator Joel Anderson  
Senator Lois Wolk



Tuesday, May 22, 2012

1:30 p.m.

Room 113

**OUTCOMES**

Consultant: Joe Stephenshaw

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## Vote Only Items

### Judicial Branch (0250)

#### Issue 1 – Allocation of the \$350 million Reduction

**Governor’s Proposal.** The May Revise proposes to schedule the \$350 million unallocated reduction contained in the Judicial Branch’s budget.

**Recommendation.** Approve as proposed. **Approved 2-0 (Anderson not voting)**

### CA Department of Corrections and Rehabilitation (5225)

#### Issue 1: Juvenile Population Adjustment

**Governor’s Proposal.** The May Revise proposes a net decrease of \$9.1 million General Fund to reflect revised Division of Juvenile Justice (DJJ) population projections.

**Recommendation.** Approve as Budgeted. **Approved 2-0 (Anderson not voting)**

#### Issue 2 – Pharmacy Augmentation

**Recommendation.** 1) Approve on a two-year limited-term basis, 2) adopt trailer bill language that mandates the use of generics, and 3) adopt budget bill language that requires the Receiver’s office to report on feasibility of implementing inmate co-payments. **Approved 2-0 (Anderson not voting)**

#### Issue 3 - Female Offenders: Expansion of Alternative Custody Program

**Governor’s Proposal.** The Governor’s budget proposes trailer bill language that provides for the expansion of the Alternative Custody Program (ACP) for Women to include women who have a prior serious or violent conviction. The goal is to allow

CDCR to place these offenders in community-based treatment programs in an effort to achieve successful outcomes and reduce recidivism among this population. Savings resulting from the reduction in the female inmate population will be used to cover the cost of treatment programs in the community. The anticipated population decline in future years is expected to generate long-term savings of \$2.5 million beginning in 2014-15 and \$5 million annually thereafter.

**Recommendation.** Approve trailer bill language to expand the Alternative Custody Program and the Community Prisoner and Mother Program. **Approved 2-0 (Anderson not voting)**

## Items to be Heard

### Judicial Branch (0250)

#### Issue 1 – Employee Retirement Contribution

**Governor’s Proposal.** The May Revise proposes a reduction of \$4 million General Fund to reflect a shift in employee retirement contributions for employees of the Judicial Council, Courts of Appeal, Habeas Corpus Resource Center and Supreme Court. Trailer bill language is proposed to reflect this change.

**Recommendation.** Approve the \$4 million in savings from the Judicial Branch. However, 1) reject the trailer bill language specifying the employee retirement contribution level and, instead, 2) adopt budget bill language that requires the Judicial Council to report to the Legislature, by September 30, 2012, on how these savings will be achieved on an ongoing basis. **Approved 2-0 (Anderson not voting)**

#### Issue 2 – Restructure Trial Court Funding

**Governor’s Proposal.** The May Revise proposes a one-time decrease of \$300 million General Fund to reflect the use of local trial court reserves to support trial court operations and trailer bill language to eliminate trial court reserves at the local level and authorize the Judicial Council to retain three percent of total estimated trial court expenditures for emergencies. Ongoing General Fund support for trial courts will be reduced by \$71 million.

The Administration also proposes to establish a working group to conduct an evaluation of the state's progress in achieving the goals outlined in the reform legislation, including the ability of trial courts to provide equal access to justice, is appropriate. The working group will conduct a statewide analysis of workload metrics, staffing standards, and other relevant data necessary to support a more uniform and efficient administrative system for the judiciary.

**Recommendation.** Hold Open. **Held Open**

### **Issue 3 – Use of Trial Court Construction Funds**

**Governor's Proposal.** The May Revise proposes a decrease of \$240 million General Fund to reflect the one-time (\$50 million ongoing) redirection of court construction funds for trial court operations. Trailer bill language is proposed to allow for this redirection.

**Recommendation.** Hold Open. **Held Open**

### **Issue 4 – Courthouse Projects: Reappropriations**

**Governor's Proposal.** The May Revise proposes to reappropriate \$144.4 million, previously authorized in 2009, from the Immediate and Critical Needs Account (ICNA) for the acquisition phase of 19 courthouse projects.

**Recommendation.** Approve as proposed. **Approved 2-0 (Anderson not voting)**

### **Issue 5 – Courthouse Projects: Construction**

**Governor's Proposal.** The May Revise proposes 1) \$364.8 million in lease revenue bond authority for the construction phase of four courthouse projects, and 2) budget bill language specifying that funds shall not be expended until the Judicial Council has reconfirmed both the detail cost and scope of the projects, as approved by the Department of Finance.

**Recommendation.** Approve as proposed. **Approved 2-0 (Anderson not voting)**

## Issue 6 – Court Appointed Counsel Program

**Governor’s Proposal.** The May Revise proposes \$4.7 million General Fund for the Court Appointed Counsel Program within the Court of Appeals. In addition, the following budget bill language is proposed to revert any unspent funding to the General Fund:

*Of the funds appropriated in Schedule (2), \$63,557,000 is available for the Court Appointed Counsel Program and shall be used solely for this purpose. Any funds for the Court Appointed Counsel Program not expended by June 30, 2013, shall revert to the General Fund.*

**Recommendation.** Approve as proposed. **Approved 2-0 (Anderson not voting)**

## CA Department of Corrections and Rehabilitation (5225)

### Issue 1 – DJJ Savings and Realignment Reversal

**Governor’s Proposal.** The May Revise requests a reduction of \$4.8 million General Fund and 45.7 positions in 2012-13, increasing to \$6.1 million and 61.2 positions by 2014-15 as a result of 1) reducing Division of Juvenile Justice (DJJ) administrative staff, 2) ending juvenile parole on January 1, 2013 instead of July 1, 2014 as required by Chapter 729, Statutes of 2010 (AB 1628), and 3) reducing DJJ’s age of jurisdiction from 25 to 23 for all wards committed to DJJ on or after July 1, 2012. Lastly, this request would increase General Fund revenues by \$19.9 million per year beginning in 2012-13 by establishing a fee of \$24,000 for each offender committed by a juvenile court to DJJ.

Trailer bill language is required to implement each piece of this proposal, with the exception of reducing the number of DJJ administrative staff.

The May Revise also includes an increase of \$11.2 million General Fund to reflect the removal of the Juvenile Justice Realignment proposal included in the Governor’s Budget.

**Recommendation.** Approve as budgeted. **Help Open the \$24,000 commitment fee, Approved the remainder of the proposal. 2-0 (Anderson not voting)**

## California Correctional Health Care Services

### Issue 1 – Baseline Adjustment

**Governor’s Proposal.** The May Revise proposes an increase of \$128.4 million General Fund and 273.6 positions in 2012-13. This funding is to 1) restore \$124.5 million in previous unallocated budget reductions, 2) provide \$1.6 million for the California Health Care Facility, and 3) provide \$2.3 million for the activation of the Folsom Women’s Facility.

**Recommendation.** Approve the request with the addition of budget bill language requiring the Receiver’s office to report to the Legislature on the revised staffing plan upon its completion. **Approved 2-0 (Anderson not voting)**