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CALIFORNIA LEGISLATURE

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May 12, 2023

Mr. Joe Stephenshaw, Director
Department of Finance
1021 O Street, Suite 3110
Sacramento, California 95814

Dear Mr. Stephenshaw:

In a letter dated May 1, 2023, you notified the Joint Legislative Budget Committee (JLBC), of your intention to approve a request by the Judicial Council to increase its reimbursement authority for the State Court Facilities Construction Fund (SCFCF) by \$26.3 million and the Court Facilities Trust Fund (CFTF) by \$2.3 million to allow the judicial branch to receive county payments for counties' share of facility maintenance and utility costs in court facilities in which the state and counties share space. This request was made pursuant to the provisions of Section 28.00 in the 2022-23 Budget Act. You also requested a waiver of the Legislature's 30-day review period under Section 28.00.

I have reviewed the request and conclude that the increased reimbursement authority is consistent with state law and would provide the state with appropriate reimbursement of facility-related expenditures made on behalf of counties. In addition, I approve your request to waive the 30-day review period, in order to ensure the judicial branch is able to move forward on projects and to be reimbursed prior to the end of the current fiscal year.

However, I find the timing of the requested waiver concerning. My understanding is that Judicial Council submitted its Section 28.00 request to the Department of Finance in March 2023 and did not request a waiver of the 30-day review period at that time. The requested waiver appears to have become necessary only because the request was ultimately not submitted to JLBC until May 1, 2023. While this does not violate the requirements of Section 28.00, it unnecessarily shortened the time JLBC had to conduct its review. This can limit the ability of the Legislature to review the request, ask sufficient questions, and conduct effective oversight.

Mr. Joe Stephenshaw

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May 12, 2023

As such, I ask that you limit requests to waive the Legislature's 30-day review period to cases where it is unavoidable.

Sincerely,

A handwritten signature in black ink that reads "Nancy Skinner". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Nancy Skinner
Chair

cc: Members of the Joint Legislative Budget Committee