

ASSEMBLY APPROVES BUDGET – JOINS SENATE ON RECESS

After a marathon 29-hour session, the Assembly Tuesday approved the state spending plan endorsed by the Senate two days before, eclipsing the previous record for a single session set in 1963 when then-Speaker Jess Unruh staged his famous “lock-in” of Republican lawmakers. The Assembly then joined the upper house in taking the remainder of the scheduled summer vacation, recessing until Monday, August 18.

(Taking our cue from the Legislature, the Sacramento Scene will also be taking two weeks off, returning Friday, August 22.)

The budget sent to the Governor ([AB 1765](#) and [SB 1044](#)) does include the court funding compromise worked out on behalf of the Judicial Council by Senators [Joe Dunn](#) (D-Santa Ana) and [Dick Ackerman](#) (R-Orange). The compromise would reduce the Judiciary’s unallocated General Fund reduction from \$17.7 million to \$8.5 million, and the unallocated reduction for funding the state’s Trial Courts from \$116 to \$85 million, while instituting fee increases expected to generate approximately \$152 million.

The budget also requires the Judicial Council to convene a working group on court security to set policy direction and promulgate rules and standards for the trial courts to achieve efficiencies that will reduce security operating costs by \$11 million in the 2003-04 fiscal year, and by \$22 million thereafter. The bill rejects the Electronic Reporting proposal contained in the Governor’s original budget, which would have authorized the courts to use electronic reporting and was estimated to have resulted in savings of \$36.5 million.

Governor Davis is expected to act on the budget by this Saturday (August 2).

RECALL DEVELOPMENTS

The recall of Governor Gray Davis continued to dominate headlines and court clerks’ offices this week. On the political front, according to the [L.A. Times](#) and [L.A. Daily News](#), over 250 individuals have taken the first steps towards adding their names to the ballot to succeed the Governor if the recall is successful – including 50 who have paid the non-refundable \$3,500 filing fee. Potential candidates range from complete unknowns, to unknowns bearing the names of celebrities (e.g., Michael Jackson, Bill Murray and Steve Young), to

politicians of various degrees of notoriety. The biggest question was whether the Democrats would field a “name” candidate to rally behind if it appeared certain Davis would be recalled (U.S. Senator Dianne Feinstein’s was the name most mentioned), and whether former L.A. mayor Richard Riordan would step into the Republican ring if actor Arnold Schwarzenegger declined to run, as recent reports predicted.

Many recall-related lawsuits were also in the news. Most recent was a suit by the NAACP reported in the [San Diego Union-Tribune](#) seeking to delay the election to Nov. 4, alleging that an earlier date will unfairly exclude minority and other voters due to outdated voting machines and fewer polling places.

The California Supreme Court is also considering petitions over whether the recall ballot should also provide for the election of a successor, rather than having Lieutenant Governor [Cruz Bustamante](#) fill the vacancy if the Governor is recalled (*Frankel v. Shelley*, [S117770](#), and *Byrnes v. Bustamante*, [S117832](#)), and whether it is appropriate for the recall ballot to also include two additional measures, Propositions 53 and 54 (*Eisenberg v. Shelley*, [S117763](#)).

One issue not mentioned so far is the impact the recall election will have on the consideration of bills sent to the Governor. Although the October 7 recall election would take place five days prior to the constitutional deadline for the governor to sign or veto the hundreds of bills the Legislature will send him in the final two weeks of the current legislative year (which ends September 12), the Governor will have up to 28 days in office even if he loses the election. That guarantees that the Governor will have time to deal with this year’s crop of bills, but not that he won’t be majorly distracted during the weeks prior to the election.

LEGISLATIVE DEADLINES UPCOMING

- [August 18 \(Monday\)](#) – Legislature returns from summer recess.
- [August 29 \(Friday\)](#) – Last day for legislative fiscal committees to report bills to the floor.
- [Sept. 1 – Sept. 12](#) – Floor sessions only; no committee may meet for any purpose.
- [Sept. 12 \(Friday\)](#) – Last day for any bill to be passed. Interim recess begins on adjournment.
- [October 12 \(Sunday\)](#) – Last day for Governor to sign or veto bills sent to him after Sept. 1.