

AMENDED IN SENATE JULY 16, 2001

AMENDED IN ASSEMBLY MAY 2, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1006

Introduced by Assembly Member Jackson

February 23, 2001

An act to ~~amend Section 69995 of~~ *add Sections 76251 and 76252* to the Government Code, relating to ~~court reporters~~ *courts*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1006, as amended, Jackson. ~~Court reporters~~ *Courts*: Ventura County.

Existing law authorizes a county to establish a courthouse construction fund, as specified.

This bill would authorize the County of Ventura to establish a Juvenile Justice Facilities Construction Fund to improve county juvenile justice facilities, as specified.

The bill would also provide that deposits to the courthouse construction fund established in Ventura County shall continue to and including the 25th year after the initial year in which the surcharge is collected or the 25th year after any borrowings are made for any construction, as specified.

The bill would make legislative findings and declarations as to the necessity for a special statute.

~~Existing law regulates the appointment, certain conditions of employment, remuneration, and benefits of official court reporters in Ventura County. Existing law exempts the official reporters from the~~

~~civil service system of employees of the court and fixes their salary at a 5-step salary range with biweekly amounts equivalent to 90% of the corresponding steps in the established salary range for official superior court reporters in Los Angeles County. The salary for the senior court reporter in Ventura County is set at 10% above the biweekly salary steps specified for official superior court reporters. Existing law provides that the salary range of these court reporters may be adjusted by joint action and approval of the board of supervisors and a majority of the judges of the superior court, and must be ratified by the Legislature, as specified, or expire. Existing law provides that these court reporters are entitled to all benefits provided for the employees of the county, and that other specified compensation may be provided.~~

~~This bill would, in Ventura County, remove the exemption of official reporters from the civil service system of employees of the court. The bill would change the above-described salary structure of the official court reporters to provide that their salaries may not be less than 90% of the corresponding steps in the established salary range for official superior court reporters in Los Angeles County, and would remove specified limits on initial hiring salary rates. This bill would provide that the salary range of official court reporters may be adjusted by a majority of the judges of the superior court without the action and approval of the board of supervisors, and would not require legislative ratification. The bill would provide that all compensation, fees, and benefits for official and pro tempore superior court reporters shall be provided by law or memorandum or understanding. The bill would make related changes. This bill would also make clarifying changes to reflect trial court restructuring under Article VI of the California Constitution.~~

~~By expanding an existing program regarding labor negotiations with employees of the court, this bill would create a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,~~



~~reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ no.
State-mandated local program: ~~yes~~ no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 69995 of the Government Code is~~

2 *SECTION 1. Section 76251 is added to the Government Code,*
3 *to read:*

4 *76251. (a) To assist the County of Ventura in the*
5 *improvement of county juvenile justice facilities or county juvenile*
6 *justice rehabilitation facilities, the board of supervisors may by*
7 *resolution establish in the county treasury a Juvenile Justice*
8 *Facilities Construction Fund pursuant to Section 76105. The*
9 *moneys in the Juvenile Justice Facilities Construction Fund shall*
10 *be payable for construction, reconstruction, expansion,*
11 *improvement, operation, or maintenance of county juvenile justice*
12 *or county juvenile justice rehabilitation facilities.*

13 *(b) The money in the fund may be used to finance any public*
14 *agency funding mechanism which reduces an obligation incurred*
15 *in reliance upon the authority granted by this section, including,*
16 *but not limited to, retirement of bonded indebtedness, loan*
17 *repayments, and monthly payments involving lease-purchase*
18 *programs.*

19 *(c) Deposits into the fund shall continue to and including either*
20 *(1) the 20th year after the enactment of this section or (2) whatever*
21 *period of time is necessary to repay all borrowings or bonded*
22 *indebtedness incurred by the county to pay for construction*
23 *provided for in this section, whichever is longer.*

24 *SEC. 2. Section 76252 is added to the Government Code, to*
25 *read:*

26 *76252. Deposits to the Courthouse Construction Fund*
27 *established in Ventura County pursuant to Section 76100 shall*
28 *continue to and including the 25th year after the initial year in*
29 *which the surcharge is collected or the 25th year after any*
30 *borrowings are made for any construction funded pursuant to that*
31 *section, whichever comes later.*

32 *SEC. 3. The Legislature finds and declares that a special*
33 *statute is necessary and that a general statute cannot be made*



1 applicable within the meaning of Section 16 of Article IV of the
2 California Constitution, because of unique facts and
3 circumstances applicable to the County of Ventura, insofar as the
4 county requires assistance in expanding and improving its court
5 facilities.

6 amended to read:

7 ~~69995.~~ (a) In Ventura County, a majority of the judges of the
8 superior court may appoint as many competent official
9 phonographic reporters as the business of the superior court
10 requires. The court may additionally employ as many pro tempore
11 phonographic reporters as may from time to time be required to
12 supplement the services of the official court reporters. The court
13 may further appoint one of the official court reporters to serve as
14 senior superior court reporter to coordinate and supervise the
15 activities of official and pro tempore court reporters.

16 Official and pro tempore superior court reporters shall provide
17 court reporting services for departments of the superior court for
18 criminal, juvenile, and civil proceedings, and proceedings before
19 the grand jury, as directed by the presiding judge.

20 (b) The salary paid to official full-time superior court reporters
21 for services in reporting any and all testimony and proceedings in
22 the superior court and before the grand jury shall be a five-step
23 salary range with biweekly amounts that may not be less than 90
24 percent of the corresponding steps in the established salary range
25 for official superior court reporters in Los Angeles County. The
26 salary of the official court reporter who is appointed to serve as
27 senior superior court reporter, shall be fixed at 10 percent above
28 the top salary for official superior court reporters.

29 The salary range of official court reporters may be adjusted by
30 approval of a majority of the judges of the superior court.

31 The per diem compensation for pro tempore reporters serving
32 the superior court or the grand jury shall be established at one-tenth
33 of the top step in the salary range established for official superior
34 court reporters, for each day of service or any portion thereof.

35 All compensation, fees, and benefits for official and pro
36 tempore superior court reporters shall be as elsewhere provided by
37 law or memorandum of understanding.

38 SEC. 2. Notwithstanding Section 17610 of the Government
39 Code, if the Commission on State Mandates determines that this
40 act contains costs mandated by the state, reimbursement to local



1 ~~agencies and school districts for those costs shall be made pursuant~~
2 ~~to Part 7 (commencing with Section 17500) of Division 4 of Title~~
3 ~~2 of the Government Code. If the statewide cost of the claim for~~
4 ~~reimbursement does not exceed one million dollars (\$1,000,000),~~
5 ~~reimbursement shall be made from the State Mandates Claims~~
6 ~~Fund.~~

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