

Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli and an Adjunct Professor at McGeorge School of Law in its Capital Lawyering Program. Today's podcast is another set of common misconceptions today on the state budget.

The first misconception is that budget trailer bills can only be passed in conjunction with the main budget bill. Under some interpretation of the California Constitution, in Article IV, budget trailer bills can pretty much be enacted any time after the budget bill has passed, as long as there is a nominal appropriation in the bill and it's tied by language to the main budget bill. Of course, as a result, this can be accomplished by a majority vote on each floor of the Assembly and the Senate.

Misconception -- the Budget Committee chairs introduce the budget bills as a courtesy to the Governor. Actually under Article IV, Section 12(c)(2), the budget bill shall be introduced immediately in each house by the persons chairing the committees that consider the budget.

Misconception -- the Governor's May Revise provides the only changes to the January 10 budget proposal by the administration. Actually, finance letters are put forth that are revisions to the budget bill as proposed by the Department of Finance.

Misconception -- the federal and state governments use the same fiscal year. Nope. The 12-month period on which the state budget is planned begins July 1 and ends June 30th of the following year. On the other hand, the federal government's fiscal year begins October 1 and ends September 30th of the following year.

Misconception -- budget trailer bills need an urgency clause to take effect immediately. Generally, urgency statutes are those considered necessary for the immediate preservation of the public health, peace, or safety, and they require approval by two-thirds vote of both houses of the legislature rather than a majority vote. Now, that's under Article IV of Section 8(d).

On the other hand, the budget bill and other bills providing for appropriations related to the budget bill may be passed by only a majority vote but still take effect immediately upon the Governor's signature, or the date specified in the legislation, and that's pursuant to Article IV, Section 12(e)(1) of the California State Constitution.

Misconception -- the Assembly and Senate Budget Subcommittees are precisely the same. There are six Assembly Budget Subcommittees and five Senate Budget Subcommittees.

The Assembly Budget Subcommittees are as follows -- Subcommittee 1 on Health and Human Services; Subcommittee 2 on Education Finance; Subcommittee 3 on Resources and Transportation; Subcommittee 4 on State Administration; Subcommittee 5 on Public Safety; and Subcommittee 6 on Budget Process Oversight and Program Evaluation.

The Senate Budget Subcommittees are Subcommittee 1 on Education; Subcommittee 2 on Resources, Environmental Protection, Energy, and Transportation; Subcommittee 3 on Health and Human Services; Subcommittee 4 on General Government and State Administration; and Subcommittee 5 on Corrections, Public Safety, and the Judiciary.

I hope you enjoyed learning about some of the state budget misconceptions and please join us for another one.