



## Legislative Fiscal Bureau

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April 19, 2005

Joint Committee on Finance

Paper #260

### **Minor Policy and Technical Changes -- Removal of Noncontinuing Elements from the Base (District Attorneys)**

[LFB 2005-07 Budget Summary: Page 142, #1(b)]

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#### **CURRENT LAW**

Program revenue-supported assistant district attorney (ADA) positions are typically funded from federal grant awards made directly to the counties. Initially, these positions are generally approved as project positions until the federal funding is determined to be a stable funding source, at which time the position is often converted to permanent status.

ADA positions funded by federal grant monies are authorized under the District Attorneys' gifts and grants appropriation, a PR continuing appropriation account. Counties' federal grant award amounts for ADA position costs are remitted to the state and are credited to this gifts and grants account as reimbursement to offset the actual costs incurred by the appropriation for the authorized positions. The District Attorney function has an adjusted base of 40.1 PR-funded prosecutor positions.

#### **GOVERNOR**

Provide standard budget adjustments to the base for the removal of noncontinuing elements totaling -\$118,300 PR and -21.6 PR positions in 2005-06 and -\$118,300 PR and -23.6 PR positions in 2006-07. These adjustments include the deletion of 17.0 PR-funded permanently authorized prosecutor positions annually. The remaining positions identified for deletion are project positions.

#### **MODIFICATION**

Restore 17.0 PR prosecutor positions annually to the District Attorneys' gifts and grants appropriation.

**Explanation:** Under Assembly Bill 100, 17.0 PR-funded permanently authorized prosecutor positions were deleted from the base as noncontinuing positions. These positions are ongoing in nature and should not have been subject to removal as noncontinuing elements. This modification would restore these permanent prosecutor positions, resulting in a total of 35.5 PR-funded prosecutor positions in 2005-06 and 33.5 PR-funded prosecutor positions in 2006-07. By letter dated April 5, 2005, the Secretary of the Department of Administration indicated that these positions were removed in error.

<b>Modification</b>	<b>PR</b>
<b>2006-07 POSITIONS</b> (Change to Bill)	17.00

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