

**Assembly Bill No. 2572**

CHAPTER 871

An act to amend Section 1760.6 of the Welfare and Institutions Code, relating to Youth Authority facilities.

[Approved by Governor September 26, 1998. Filed with Secretary of State September 28, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2572, Firestone. Youth Authority facilities: major capital outlay projects: ward labor.

Existing law permits the director of the Department of the Youth Authority to require wards to provide labor to construct, renovate, or maintain facilities of the Youth Authority, so long as, among other things, the cost of the project does not exceed \$200,000.

This bill would increase the project cost limit in this provision to the amount specified in a designated provision of the Public Contract Code.

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

SECTION 1. Section 1760.6 of the Welfare and Institutions Code is amended to read:

1760.6. (a) The director may require wards of the Youth Authority to perform work necessary and proper to construct, renovate, or maintain facilities of the Youth Authority. For purposes of this section, and notwithstanding Section 10108 of the Public Contract Code, the department may construct, renovate, or maintain facilities of the Youth Authority with hired or staff labor forces, so long as wards of the Youth Authority are utilized as a majority of the labor force and so long as the estimated cost of the project, if contracted, does not exceed the project limit established by Section 10108 of the Public Contract Code, provided that projects shall not be divided for the purpose of keeping within the project limitation. The department may provide for the payment of wages to wards of the Youth Authority for work performed pursuant to this section, the sums earned to be paid in reparation, or to the parents or dependents of the ward, or to the ward, in any manner and in any proportions as the department directs.

(b) For minor capital outlay and maintenance projects that, pursuant to subdivision (a), the department has elected to accomplish with ward labor, if the department has not completed the project within the year of appropriation, then the amount of the unencumbered balance of the project shall be determined in



accordance with Section 14959 of the Government Code, under which an estimate of the amount necessary for the completion of the project, including purchase of materials, hiring of labor and wards, equipment rental, supervision, and any other items, shall be deemed a valid encumbrance and shall be included with any other valid encumbrances in determining the amount of the unencumbered balance.

(c) For the purposes of this section, at least 90 percent of any nonward day labor utilized by the department in conjunction with ward labor shall be performed by individuals who are represented by a duly authorized employee representative unless individuals with that qualification are not reasonably available.

