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General Laws, Amendments to the Codes, Resolutions, and Constitutional Amendments passed by the California Legislature

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CHAPTER 1290

An act to amend Sections 1012.2, 1035, 1035.05, 1035.1, 1035.3, and 1035.4 of, and to add Section 1035.5 to, the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983]

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

SECTION 1. (a) The Legislature finds and declares as follows:

(1) That the Department of Veterans Affairs has suffered budget cuts greater than most other state agencies have experienced over the past five years.

(2) That the General Fund will receive an amount of funds in the 1983–84 fiscal year from the estates of deceased veterans who were members of the Veterans' Home of California exceeding by approximately one hundred thirty thousand dollars ($130,000) the budgeted income from this source of state revenue.

(3) That it is appropriate and justified that a portion of those funds be used for certain one-time urgent veterans services projects.

(b) It is, therefore, the intent of the Legislature, in Section 9 of this act, to make an appropriation of a portion of those funds for the veteran-related purposes stated therein.

SEC. 2. Section 1012.2 of the Military and Veterans Code is amended to read:

1012.2. Notwithstanding any other provisions of law, any member of the home who is receiving an aid and attendance allowance from the United States Veterans' Administration and who has no dependent spouse, child, grandchild, father, or mother shall pay to the home an amount equal to such allowance. One hundred percent of the moneys received by the home under this section shall be placed to the credit of the home and shall augment the current appropriation for the support of the home.

SEC. 3. Section 1035 of the Military and Veterans Code is amended to read:

1035. (a) All moneys and other personal property of any veteran held by the home, or by its authority, or left by the veteran upon the premises of the home, shall, upon the death of the veteran, be held by the home in trust to be paid or delivered by the home upon proof deemed to be proper to the manager, directly and without probate, to the heirs of the veteran, except that the manager may disburse funds of any deceased veteran for payment of funeral expenses or any obligation owed to the home, including the cost of any care rendered by the home in excess of the fees paid by the veteran to the home. Any funds of the deceased veteran representing the cost of care rendered by the home in excess of the fees paid by the veteran to the home shall be deposited in the General Fund.

This subdivision shall apply only to veterans becoming members of the home on or after January 1, 1984.

(b) All moneys and other personal property of any veteran held by the home, or by its authority, or left by the veteran upon the

premises of the home, shall, upon the death of the veteran, be held by the home in trust to be paid or delivered by the home upon proof deemed to be proper to the manager, directly and without probate, to the spouse, children, grandchildren, or father or mother of the veteran, except that the manager may disburse funds of any deceased veteran for payment of funeral expenses or any obligation owed to the home.

This subdivision shall apply only to veterans who have become members of the home prior to January 1, 1984.

SEC. 4. Section 1035.05 of the Military and Veterans Code is amended to read:

1035.05. (a) All moneys and other personal property of any veteran other than that described in Section 1035 shall, upon the death of the veteran, first be paid to the manager for payment of funeral expenses or any obligation owed to the home remaining unpaid after the disbursement required by Section 1035 is completed; and second, in the absence of an heir or heirs or a will, pass and descend to and become the property of the Veterans' Home of California for credit to the post fund thereof. If the total value of that property in the state over and above any amounts due the veteran for services in the armed forces of the United States or from any other employment does not exceed three thousand dollars ($3,000), the home may, without procuring letters of administration, collect any money due the decedent, receive the property of the decedent, and have any evidences of interest, indebtedness, or right transferred to it upon furnishing the person, representative, corporation, official, or body owning the money, having custody of the property or acting as registrar or transfer agent of the evidence of that interest, indebtedness, or right, with an affidavit showing the right of the home to receive the money or property or to have the evidences transferred. The receipt of the home shall constitute sufficient acquittance for any payment of money or delivery of property made pursuant to this section and shall fully discharge such person, representative, corporation, officer, or body from any further liability with reference thereto, without the necessity of inquiring into the truth of any of the facts stated in the affidavit. But that payment or transfer shall not preclude administration when necessary to enforce payment of the decedent's debts, and the manager may, upon proof deemed by him or her to be sufficient, pay the debts directly and without administration.

This subdivision shall apply only to veterans becoming members of the home on or after January 1, 1984.

(b) All moneys and other personal property of any veteran other than that described in Section 1035 shall, upon the death of the veteran, in the absence of a spouse, children, grandchildren, or father or mother, pass and descend to and become the property of the Veterans' Home of California for credit to the post fund thereof. If the total value of such property in the State of California over and above any amounts due the veteran for services in the armed forces of the United States or from any other employment does not exceed three thousand dollars ($3,000), the home may, without procuring

letters of administration or awaiting probate of any will, collect any money due the decedent, receive the property of the decedent and have any evidences of interest, indebtedness, or right transferred to it upon furnishing the person, representative, corporation, official, or body owning the money, having custody of such property or acting as registrar or transfer agent of such evidence of such interest, indebtedness, or right, with an affidavit showing the right of the home to receive such money or property or to have such evidences transferred. The receipt of the home shall constitute sufficient acquittance for any payment of money or delivery of property made pursuant to this section and shall fully discharge such person, representative, corporation, officer, or body from any further liability with reference thereto, without the necessity of inquiring into the truth of any of the facts stated in the affidavit. But such payment or transfer shall not preclude administration when necessary to enforce payment of the decedent's debts, and the manager may, upon proof deemed by him to be sufficient, pay such debts directly and without administration.

This subdivision shall apply only to veterans who have become members of the home prior to January 1, 1984.

SEC. 5. Section 1035.1 of the Military and Veterans Code is amended to read:

1035.1. (a) Any will executed by a veteran who was a member of the home at the time of death, whether executed prior or subsequent to January 1, 1984, which purports to leave any part of the veteran's estate to any officer or employee of the home, unless that officer or employee would be eligible to take by intestate succession under the probate laws of this state, is void as to that provision.

This subdivision shall apply only to veterans becoming members of the home on or after January 1, 1984.

(b) Any will heretofore or hereafter executed by a veteran, whether executed before or after admission to the home, shall not be valid as to any provision therein contained which purports to dispose, either directly or indirectly, of moneys or personal property to other than the spouse, children, grandchildren, or father or mother of the veteran. This section does not apply to any veteran who is not a member of the home at the time of death.

This subdivision shall apply only to veterans who became members of the home prior to January 1, 1984.

SEC. 6. Section 1035.3 of the Military and Veterans Code is amended to read:

1035.3. (a) If no will or heir is discovered within two years after the death of the veteran, any moneys not exceeding the sum of three thousand dollars ($3,000) held by the home pursuant to Section 1035 and not paid or otherwise delivered to the heir or heirs or pursuant to the will, or otherwise disbursed by the manager pursuant to Section 1035, shall be paid to the post fund.

If no will or heir is discovered within five years after the death of the veteran, any moneys exceeding the sum of three thousand dollars

($3,000) held by the home pursuant to Section 1035 and not paid or otherwise delivered to the heir or heirs or pursuant to the will, or otherwise disbursed by the manager pursuant to Section 1035, shall be paid to the post fund.

This subdivision shall apply only to veterans becoming members of the home on or after January 1, 1984.

(b) If no spouse, child, grandchild, or father or mother is discovered within two years after the death of the veteran, any moneys not exceeding the sum of three thousand dollars ($3,000) held by the home pursuant to Section 1035 and not paid or otherwise delivered to the spouse, children, grandchildren, or father or mother, or otherwise disbursed by the manager pursuant to Section 1035, shall be paid to the post fund.

If no spouse, child, grandchild, or father or mother is discovered within five years after the death of the veteran, any moneys exceeding the sum of three thousand dollars ($3,000) held by the home pursuant to Section 1035 and not paid or otherwise delivered to the spouse, children, grandchildren, or father or mother, or otherwise disbursed by the manager pursuant to Section 1035, shall be paid to the post fund.

This subdivision shall apply only to veterans who have become members of the home prior to January 1, 1984.

SEC. 7. Section 1035.4 of the Military and Veterans Code is amended to read:

1035.4. (a) All personal property held or received by the home pursuant to Section 1035, other than moneys and other than property described in Section 1035.2 as is unclaimed by or not otherwise delivered to the heir or heirs or pursuant to the will of a veteran within a period of one year after death, may be sold by the manager by public auction or private sale. The sale shall take place at a public place in the home, and notice of sale shall be posted in that place at least 10 days previous to the date of sale. The proceeds of the sale shall be credited to the post fund.

This subdivision shall apply only to veterans becoming members of the home on or after January 1, 1984.

(b) All personal property held or received by the home pursuant to Section 1035, other than moneys and other than property described in Section 1035.2 as is unclaimed by or not otherwise delivered to the spouse, children, grandchildren, or father or mother of a veteran within a period of one year after death, may be sold by the manager by public auction or private sale. The sale shall take place at a public place in the home, and notice of sale shall be posted in such place at least 10 days previous to the date of sale. The proceeds of the sale shall be credited to the post fund.

This subdivision shall apply only to veterans who have become members of the home prior to January 1, 1984.

SEC. 8. Section 1035.5 is added to the Military and Veterans Code, to read:

1035.5. (a) The manager shall provide to the heirs or devisees of

every deceased veteran who became a member of the home on or after January 1, 1984, a statement or accounting of all charges made against the member's money or personal property under Sections 1035 to 1035.4, inclusive.

(b) Every veteran applying for membership in the home on or after January 1, 1984, shall be furnished a written explanation of the limitations and restrictions on the right to dispose of money and personal property contained in Sections 1035 to 1035.4, inclusive.

SEC. 9. The sum of forty thousand dollars ($40,000) is hereby appropriated from the General Fund to the Department of Veterans Affairs for expenditure for purposes of the study and report requested by Resolution Chapter 93 (A.C.R. 43) of the Statutes of 1983).

CHAPTER 1291

An act to add Article 1.5 (commencing with Section 19063) to Chapter 6 of Division 5 of Title 2 of the Government Code, relating to civil service, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983]

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

SECTION 1. The Legislature finds and declares that it is in agreement with the Governor that the state should "provide recipients with the critical step away from welfare dependency and toward self-sufficiency."

The Legislature further agrees with the Governor that "the overwhelming majority of welfare recipients want to work and join society as productive members."

The Legislature believes that models designed to reduce welfare dependency should be demonstrated, tested, and evaluated.

SEC. 2. Article 1.5 (commencing with Section 19063) is added to Chapter 6 of Division 5 of Title 2 of the Government Code, to read:

Article 1.5. Appointments: Priority Consideration

19063. (a) Any person receiving state public assistance under the Aid to Families with Dependent Children program who meets the qualifications for any civil service position described by the State Personnel Board as a seasonal class which does not require an examination shall be given priority consideration. "Priority consideration" means, for the purposes of this article, that after consideration has been made for all conditions described in this section, the state agency involved shall hire all qualified job

applicants who are receiving state public assistance before hiring any other applicant.

(b) Public assistance recipients who apply for openings under this article shall be required to undergo the same employment process used by state agencies to select any other person for appointment to a position in such a class. If a state agency does not select a public assistance recipient to fill an opening, it shall document in its employment records the reasons why the public assistance recipient was not selected and any other information determined to be necessary by the State Personnel Board.

(c) The employment of public assistance recipients shall be consistent with the goals established by each agency under Section 19790.

(d) This section shall not preclude a state agency from hiring any person appointed during the prior 12 months in the class for which the vacancy exists.

19063.1. Each state agency which intends to establish qualified hiring pools, as defined by the State Personnel Board, for seasonal class employment shall notify the Employment Development Department or its delegate in the area where the openings are expected to occur at least 45 calender days prior to the establishment of the pool. The state agency shall request referrals of public assistance recipients and at the same time shall provide necessary job-related information.

19063.2. Each state agency which has an open seasonal class position but does not have a qualified hiring pool shall notify the Employment Development Department or its delegate in the area where the job is located of the opening no later than five working days after the vacancy occurs. The state agency shall request referrals of public assistance recipients and at the same time shall provide necessary job-related information. The agency shall provide a reasonable period for referrals, but not less than 10 working days.

19063.3. This article may be waived by the Governor, if requested to do so by the state agency involved, in order to address an emergency which threatens the public health or safety, the state's natural resources, or the economy. If an emergency waiver is granted, notification including reasons for the waiver shall be forwarded to the Joint Legislative Budget Committee within five working days.

19063.4. If no public assistance recipient applies for a opening within the time limits established by this article, the state agency may fill the opening with a person not receiving public assistance. In the event a person not receiving public assistance is hired, the state agency shall place a certification in its employment records stating the date it contacted the Employment Development Department or its designate, the name of the person contacted, the date the position was filled, and any other information determined to be necessary by the State Personnel Board.

19063.5. Notwithstanding any other provision of law,

participation in a seasonal class vacancy by a public assistance recipient shall be voluntary only, and in no event shall any person be subject to sanctions, through loss of benefits or eligibility, for not applying for, accepting, or continuing in such a position. All notices shall explain the voluntary nature of the application to work in a seasonal class opening, the job requirements, the amount of pay, and the job qualifications. All notices, shall also inform public assistance recipients that they will have priority in being hired for jobs in these openings as provided in Section 19063.

19063.6. Each state agency that has seasonal class civil service positions shall report to the State Personnel Board the number of those positions, the number of persons who are newly hired, the number of persons who are rehired, and the number of persons who are public assistance recipients. The board shall compile the results and provide a report to the Legislature by January 30 of each year.

19063.7. In the event that the Department of Employment Development determines that a waiver of any federal or state policies, or both, are required to fulfill the provisions of this article, the department shall seek those waivers. If the waivers necessary are not granted by March 1, 1984, this article, on that date, shall be repealed.

19063.8. Any seasonal classifications specifically designed to support a program to train students, as determined by the State Personnel Board, to the extent that they are authorized as of the effective date of this article, shall be exempt from this article. However, state agencies shall be encouraged by the State Personnel Board to increase their efforts to recruit disadvantaged youth for these jobs.

19063.9. The operative date for compliance with the notification and referral provisions set forth in this article shall be January 1, 1984.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide hope and to create opportunities for the overwhelming majority of welfare recipients in California who wish to work and to join society as productive members and who have been traditionally bypassed by our state's prosperity, it is necessary that this act go into immediate effect. In addition, the state has a compelling financial interest in seeking ways to reduce public assistance payments whenever possible.

CHAPTER 1292

An act to amend Sections 39670 and 39671 of the Education Code, to amend Sections 241.4, 626.8, 626.9, 830.4, and 1463.12 of the Penal Code, and to amend Section 165 of the Vehicle Code, relating to peace officers.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983]

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

SECTION 1. Section 39670 of the Education Code is amended to read:

39670. The governing board of any school district may establish a security department under the supervision of a chief of security or a police department under the supervision of a chief of police, as designated by, and under the direction of, the superintendent of the school district, and employ, in accordance with the provisions of Chapter 5 (commencing with Section 45100) of Part 25 of Division 3 personnel as may be necessary to ensure the safety of school district personnel and pupils, and the security of the real and personal property of the school district. It is the intention of the Legislature in enacting this section that a school district police or security department shall be supplementary to city and county law enforcement agencies and shall under no circumstances be vested with general police powers.

SEC. 2. Section 39671 of the Education Code is amended to read:

39671. Persons employed and compensated as members of a police department of a school district, when appointed and duly sworn, are peace officers, for the purposes of carrying out their duties of employment pursuant to Section 830.4 of the Penal Code.

SEC. 3. Section 241.4 of the Penal Code is amended to read:

241.4. An assault is punishable by fine not exceeding five hundred dollars ($500), or by imprisonment in the county jail not exceeding six months, or by both. When the assault is committed against the person of a peace officer engaged in the performance of his or her duties as a member of a police department of a school district pursuant to Section 39670 of the Education Code, and the person committing the offense knows or reasonably should know that the victim is a peace officer engaged in the performance of his or her duties, the offense shall be punished by imprisonment in the county jail not exceeding one year or by imprisonment in the state prison.

SEC. 4. Section 626.8 of the Penal Code is amended to read·

626.8. (a) Any person who comes into any school building or upon any school ground, or street, sidewalk, or public way adjacent thereto, without lawful business thereon, and whose presence or acts interfere with the peaceful conduct of the activities of the school or disrupt the school or its pupils or school activities, or any specified

sex offender who comes into any school building or upon any school ground, or street, sidewalk, or public way adjacent thereto, unless such person is a parent or guardian of a child attending that school, or is a student at the school or has prior written permission for the entry from the chief administrative officer of that school, is guilty of a misdemeanor if he or she:

(1) Remains there after being asked to leave by the chief administrative official of that school or his or her designated representative, or by a person employed as a member of a security or police department of a school district pursuant to Section 39670 of the Education Code, or a city police officer, or sheriff or deputy sheriff, or California Highway Patrol Officer; or

(2) Reenters or comes upon such place within 72 hours of being asked to leave by a person specified in paragraph (1); or

(3) Has otherwise established a continued pattern of unauthorized entry.

(b) Punishment for violation of this section shall be as follows:

(1) Upon a first conviction by a fine of not exceeding five hundred dollars ($500), by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

(2) If the defendant has been previously convicted once of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 10 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and shall not be released on probation, parole, or any other basis until he or she has served not less than 10 days.

(3) If the defendant has been previously convicted two or more times of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 90 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and shall not be released on probation, parole, or any other basis until he or she has served not less than 90 days.

(c) As used in this section:

(1) "Specified sex offender" means any person required to register pursuant to Section 290, who has been convicted of a violation of Section 220, 261, 266, 267, 272, 288, or 289, or of subdivision (c), (d), or (f) of Section 286, or of subdivision (c), (d), or (f) of Section 288a, or of an attempt to commit any of these offenses.

(2) "Lawful business" means a reason for being present upon school property which is not otherwise prohibited by statute, by ordinance, or by any regulation adopted pursuant to statute or ordinance.

(3) "Continued pattern of unauthorized entry" means that on at least two prior occasions in the same school year the defendant came into any school building or upon any school ground, or street, sidewalk, or public way adjacent thereto, without lawful business thereon, and his or her presence or acts interfered with the peaceful

conduct of the activities of such school or disrupted the school or its pupils or school activities, and the defendant was asked to leave by a person specified in paragraph (1) of subdivision (a).

(4) In the case of a specified sex offender, "continued pattern of unauthorized entry" means that on at least two prior occasions in the same school year the defendant came into any school building or upon any school ground, or street, sidewalk, or public way adjacent thereto, and the defendant was asked to leave by a person specified in paragraph (1) of subdivision (a).

(5) "School" means any preschool or school having any of grades kindergarten through 12.

SEC. 5. Section 626.9 of the Penal Code is amended to read:

626.9. Any person, except a duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in California, any person summoned by any of these officers to assist in making arrests or preserving the peace while he or she is actually engaged in assisting the officer, a member of the military forces of this state or the United States who is engaged in the performance of his or her duties, a person holding a valid license to carry the firearm pursuant to Article 3 (commencing with Section 12050) of Chapter 1 of Title 2 of Part 4, or an armored vehicle guard, who is engaged in the performance of his or her duties, as defined in Section 7521 of the Business and Professions Code, who brings or possesses a firearm upon the grounds of any public school, including the University of California and the state university or within any public school, including the University of California and the state university, unless it is with the written permission of the school district superintendent, or his or her designee, or equivalent school authority, shall be punished by imprisonment in the county jail for a period of not more than one year, a fine of not more than one thousand dollars ($1,000), or both such imprisonment and fine, or by imprisonment in the state prison.

SEC. 6. Section 830.4 of the Penal Code is amended to read:

830.4. The following persons are peace officers while engaged in the performance of their duties in or about the properties owned, operated, or administered by their employing agency, or when they are required by their employer to perform their duties anywhere within the political subdivision which employs them. These officers shall also have the authority of peace officers anywhere in the state as to an offense committed, or which there is probable cause to believe has been committed, with respect to persons or property the protection of which is the duty of the officer or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is an immediate danger to person or property or of the escape of the perpetrator of the offense. These peace officers may carry firearms only if authorized by, and under such terms and conditions as are specified by, their employing

agency:

(a) Security officers of the California State Police Division.

(b) The Sergeant at Arms of each house of the Legislature.

(c) Bailiffs of the Supreme Court and of the courts of appeal.

(d) Guards and messengers of the Treasurer's office.

(e) Officers designated by the hospital administrator of a state hospital under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services pursuant to Section 4313 or 4493 of the Welfare and Institutions Code.

(f) Any railroad policeman commissioned by the Governor pursuant to Section 8226 of the Public Utilities Code.

(g) Persons employed as members of a police department of a school district pursuant to Section 39670 of the Education Code.

(h) Security officers of the County of Los Angeles.

(i) Housing authority patrol officers employed by the housing authority of a city, district, county, or city and county.

(j) Transit police officers of a county, city, or district.

(k) Any person regularly employed as an airport law enforcement officer by a city, county, or district operating the airport or by a joint powers agency, created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, operating the airport.

(*l*) Court service officers in a county of the third class.

SEC. 7. Section 1463.12 of the Penal Code is amended to read:

1463.12. Notwithstanding the provisions of Section 1463, out of the moneys deposited with the county treasurer pursuant to Section 1463, there shall be transferred, once a month, into the general fund of any school district in the county an amount equal to 50 percent of all fines and forfeitures collected during the preceding month upon the conviction or upon the forfeiture of bail from any person arrested or notified by a school district police officer and charged with a violation of the parking regulations of the district, other traffic violations occurring on or surrounding school district property, or violations of other statutes or local ordinances occurring on any school ground or street, sidewalk, or public way adjacent to any school district property or property leased by the district within the county, and an amount equal to the remaining 50 percent shall be transferred into the general fund of the county.

SEC. 8. Section 165 of the Vehicle Code is amended to read:

165. An authorized emergency vehicle is:

(a) Any publicly owned and operated ambulance, lifeguard, or lifesaving equipment or any privately owned or operated ambulance licensed by the Commissioner of the California Highway Patrol to operate in response to emergency calls.

(b) Any publicly owned vehicle operated by the following persons, agencies, or organizations:

(1) Any federal, state, or local agency, department, or district employing peace officers as that term is defined in Chapter 4.5 (commencing with Section 830) of Part 2 of Title 3 of the Penal Code,

for use by those officers in the performance of their duties.

(2) Any forestry or fire department of any public agency or fire department organized as provided in the Health and Safety Code.

(c) Any vehicle owned by the state, or any bridge and highway district, and equipped and used either for fighting fires, or towing or servicing other vehicles, caring for injured persons, or repairing damaged lighting or electrical equipment.

(d) Any state-owned vehicle used in responding to emergency fire, rescue or communications calls and operated either by the Office of Emergency Services or by any public agency or industrial fire department to which the Office of Emergency Services has assigned the vehicle.

(e) Any vehicle owned or operated by any department or agency of the United States government when the vehicle is used in responding to emergency fire, ambulance, or lifesaving calls or is actively engaged in law enforcement work.

(f) Any vehicle for which an authorized emergency vehicle permit has been issued by the Commissioner of the California Highway Patrol.

CHAPTER 1293

An act to add Section 4648.5 to the Welfare and Institutions Code, relating to developmental disabilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983]

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

SECTION 1. Section 4648.5 is added to the Welfare and Institutions Code, to read:

4648.5. (a) The Legislature finds that Sharron Tapia is entitled to the provision of services which are sufficient and of appropriate content to provide for her needs, as determined by the East Bay Regional Center. The Legislature further finds that the regional center is unable to provide these services, and recognizes that the Alameda Superior Court has concurred in these findings.

(b) Of the funds appropriated to the State Department of Developmental Services by the Budget Act of 1983, the sum of seventeen thousand five hundred dollars ($17,500) shall be used only to pay for the cost of the needed services for Sharron Tapia and of the funds provided to East Bay Regional Center under its contract with the State Department of Developmental Services in the 1983–84 fiscal year, seventeen thousand five hundred dollars ($17,500) shall be used only to pay for the cost of needed services for Sharron Tapia.

The payments shall be made to Sharron Tapia's legal guardian upon approval by the State Department of Developmental Services. Services provided to Sharron Tapia shall be in accordance with an individual program plan agreed upon by the department and Sharron Tapia's legal guardian.

(c) The enactment of this section shall not be construed to represent a legislative intent to establish a precedent for future appropriations to any other specifically named individual with developmental disabilities.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure the continued health and well-being of Sharron Tapia, it is necessary that this act take effect immediately.

CHAPTER 1294

An act relating to postsecondary education, and making an appropriation therefor.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983.]

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

SECTION 1. The sum of one million two hundred eighty-three thousand five hundred dollars ($1,283,500) shall be appropriated from the Capital Outlay Fund for Public Higher Education to the Trustees of the California State University for rehabilitation of the Old Library Building at San Diego State University when one million two hundred eighty-three thousand five hundred dollars ($1,283,500) in federal funds are made available to finance the construction of this project.

CHAPTER 1295

An act to add Part 6 (commencing with Section 1180) to Division 1 of, and to repeal Articles 12 (commencing with Section 429) and 14 (commencing with Section 429.30) of Part 1 of, and Part 4 (commencing with Section 1185) of, Division 1 of, and Article 6 (commencing with Section 1246) of Chapter 1 of Division 2 of, the Health and Safety Code, relating to health services.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Article 12 (commencing with Section 429) of Part 1 of Division 1 of the Health and Safety Code is repealed.

SEC. 2. Article 14 (commencing with Section 429.30) of Part 1 of Division 1 of the Health and Safety Code is repealed.

SEC. 3. Part 6 (commencing with Section 1180) is added to Division 1 of the Health and Safety Code, to read:

PART 6. PRIMARY CARE SERVICES

CHAPTER 1. GENERAL PROVISIONS

1180. (a) The Legislature makes the following findings and declarations:

(1) There is a maldistribution of health services in California resulting in underserved rural and urban areas and underserved population groups.

(2) Most rural areas of the state do not have adequate health services because there are insufficient personnel and facilities to provide such services. The lack of adequate services has a negative impact on the health and safety of the public.

(3) In many urban areas of the state there are inadequate health services for low-income populations. Financial barriers create access problems. These barriers to health services have a negative impact on the health and safety of these groups and the public.

(4) Population groups, such as American Indians and seasonal agricultural and migratory workers, lack access to adequate and appropriate health services. The lack of adequate services has a negative impact on the health and safety of these groups and the public.

(5) State assistance will be needed to assure financial stability of primary care resources for these specified population groups.

(b) It is therefore the intent of the Legislature that the state develop an overall strategy to ensure the maintenance of adequate primary health care resources for special population groups.

1180.2. (a) The state department shall develop a statewide plan for health services for special population groups identified pursuant to subdivision (b) of Section 1180.7 by July 1, 1984, and shall evaluate and update the plan every two years. The plan shall include, but not be limited to, an assessment of resources, an assessment of unmet needs, an evalution of prior years program goals and objectives, and a two-year action plan for at least the following program areas:

(1) Health of seasonal agricultural and migratory workers and their families.

(2) American Indian health services.

(3) Rural health services.
(4) California health services corps.
(5) Grants-in-aid to clinics.

(b) The plan shall describe the types, locations, and effectiveness of the programs specified in paragraphs (1) to (5), inclusive, and contain an assessment of resources needed to maintain the plan consistent with this part.

(c) The plan may be a consolidation of individual program reports due to the Legislature during the year the plan is updated. The plan may also be integrated with other plans the department is required to develop concerning maternal and child health progams and services for special population groups.

(d) The statewide plan shall be initially developed in consultation with the Primary Care Clinics Advisory Committee and the California Conference of Local Health Officers and biannually updated as provided in this section in consultation with individuals and groups representing special populations and areas, with local governments, and with the Office of Statewide Health Planning and Development.

1180.3. Notwithstanding any other provision of law, the state department may, if requested by the nonprofit or public agency and to the extent funds are available, provide for advance payments for services to be performed under any agreement entered into pursuant to this part and which is otherwise in compliance with the requirements contained in Section 104.5. Individual advance payments made to any nonprofit or public agency that requests those payments shall be made in a timely fashion and shall not exceed 25 percent of the total amount of the grant award.

1180.4. Notwithstanding any other provision of law, the state department may, in addition to the advance payment under Section 1180.3, provide for prospective payments for services to be performed under any agreement entered into pursuant to this part. These prospective payments may be provided each month to a contracting agency on one of the following bases:

(a) One-twelfth of the total funding award each month.

(b) One-twelfth of 75 percent of the funding award, if a 25 percent advance payment is also provided.

Prospective payments may be made to those nonprofit or public agencies which request prospective payments and may be adjusted if necessary during the project period after the submission and review of required program reports.

1180.5. Each agreement for a project shall require the contracting agency to seek third-party reimbursements, including Medi-Cal and private insurance, for any person served under the agreement and shall require that such reimbursements be used for purposes consistent with this part. Each agreement may require the contracting agency to provide reports to the department on reimbursements.

1180.7. (a) It is the intent of the Legislature that funds

authorized by this part be provided to organizations and agencies which are located in underserved areas or which are serving population groups identified pursuant to subdivision (b).

(b) Every two years the director shall develop a list of underserved rural and urban areas and underserved population groups. The director shall take into consideration the list of urban and rural areas designated as medically underserved by the California Health Manpower Policy Commission and by the Office of Statewide Health Planning and Development and federal medically underserved areas and population groups designated by federal agencies.

(c) The director shall develop the list of underserved rural and urban areas and underserved population groups, set forth in subdivision (b), after consulting and receiving written recommendations from the Primary Care Clinics Advisory Committee and after consulting with appropriate groups and individuals, including individuals representing underserved populations and local government.

1180.8. (a) It is the intent of the Legislature that programs in this part be funded annually through the budgetary process.

(b) In administering funds pursuant to this part, the state department shall use such funds only for the purpose of funding grants specifically authorized by this part.

(c) No local assistance funds may be used for state administration purposes under the provisions of this part.

1180.9. An applicant for funds pursuant to this part shall transmit a copy of an application to any person who makes a written request therefor at the same time that the application is transmitted to the state.

CHAPTER 2. HEALTH OF SEASONAL AGRICULTURAL AND MIGRATORY WORKERS

1181. The state department shall maintain a program for seasonal agricultural and migratory workers and their families, consisting of all of the following:

(a) Studies of the health and health services for seasonal agricultural and migratory workers and their families throughout the state.

(b) Technical and financial assistance to local agencies concerned with the health of seasonal agricultural and migratory workers and their families.

(c) Coordination with similar programs of the federal government, other states, and voluntary agencies.

1181.1. The state department shall contract and cooperate with local governmental agencies and voluntary nonprofit organizations in connection with the development of local health programs for seasonal agricultural and migratory workers and their families.

1181.5. (a) The Seasonal Agricultural Workers Advisory

Committee, in existence on December 31, 1983, is continued in existence and shall be renamed the Seasonal Agricultural and Migratory Workers Advisory Committee. The committee shall advise the state department on the level of resources, priorities, criteria, and guidelines necessary to implement the provisions of this chapter. The committee shall be composed of 15 members, appointed by the director, who are knowledgeable concerning the health needs of seasonal agricultural and migratory workers and their families. The members of the committee shall be selected from the following categories of persons: consumers, consumer advocates, health service providers, representatives of state or county health agencies, health professionals, or private citizens. The terms of the members shall be established pursuant to bylaws adopted by the committee.

(b) The director may also seek advice from individuals and groups, other than the committee, on program issues.

(c) Those persons who are members of the committee on December 31, 1983, shall continue to be members for the remainder of their terms and, upon expiration of their terms, shall be eligible for reappointment by the director.

CHAPTER 3. AMERICAN INDIAN HEALTH SERVICES

1182. The state department shall maintain a program for American Indians and their families, consisting of all of the following:

(a) Studies of the health and health services available to American Indians and their families throughout the state.

(b) Technical and financial assistance to local agencies concerned with the health of American Indians and their families.

(c) Coordination with similar programs of the federal government, other states, and voluntary agencies.

1182.1. The state department shall contract and cooperate with local governmental agencies and voluntary nonprofit organizations in connection with the development of local health programs for American Indians and their families.

1182.2. (a) All moneys appropriated to the state department for the purposes of this chapter shall be used to provide financial, training, and technical assistance to urban and rural American Indian health programs and to assist these programs in planning, implementing, and upgrading programs to attain a comprehensive health services delivery system for American Indians in urban and rural areas.

(b) The state department shall provide technical assistance and shall promote the provision of services for preventive health care, health education, and environmental health.

(c) The state department may expend funds, appropriated to it to carry out the purposes of this chapter, by contract or grant, or any combination thereof, to assist any urban or rural American Indian health program in existence on January 1, 1984.

(d) The state department shall adopt rules and regulations establishing criteria for reimbursement for direct services under this chapter, which shall include, but not be limited to, a definition of direct services which are reimbursable and a formula for allocation of funds appropriated to the department.

(e) The state department shall provide assistance to American Indian health services programs in maximizing utilization of third party payment systems and in developing programs in health education, nutrition, and family planning, if such assistance is not being provided by agencies of the federal government.

(f) Funds appropriated to carry out the purposes of this chapter shall be supplemental to those available from the federal government and shall not duplicate, and they shall not replace, any commitments made by the federal government to provide health services to American Indians and their families in this state who receive health services pursuant to an urban or rural American Indian health program in existence on January 1, 1984.

(g) It is the intent of the Legislature that the program established by this chapter shall, commencing with the 1984–85 fiscal year, be funded according to customary budget procedures.

1182.3. The Legislature finds and declares that the health status of many American Indians in California is not adequate.

It is, therefore, the intent of the Legislature to insure that in addition to funding provided pursuant to the American Indian Health Service program, sufficient funding is provided to American Indians from other programs in order to substantially improve their access to health services. Such programs include, but are not limited to, the following:

(a) Rural health services.
(b) Mental health services.
(c) Developmental disability programs.
(d) Maternal and child health programs.
(e) Alcoholism programs.
(f) Programs for the aging.
(g) Environmental health programs.

The department shall report to the Legislature by July 1, 1984, and every two years thereafter, with respect to the extent to which funding for these programs is allocated to grantees receiving funding from the department pursuant to Section 1182.2.

1182.4. (a) The Indian Health Policy Panel, established by the director pursuant to Section 1520 of Title 17 of the California Administrative Code, is continued in existence and shall be renamed the American Indian Health Policy Panel. The policy panel shall advise the state department on the level of resources, priorities, criteria, and guidelines necessary to implement the provisions of this chapter. The policy panel shall be composed of 10 members, appointed by the director. Four members shall be appointed from a list of persons submitted by the California Rural Indian Health Board, four members shall be appointed from a list of persons

submitted by the California Urban Indian Health Council, and two members shall represent the public. The persons appointed by the director to represent the public may be consumers, consumer advocates, health service providers, representatives of state or county health agencies, health professionals, or private citizens. The terms of the members shall be established pursuant to bylaws adopted by the policy panel.

(b) The director may also seek advice from individuals and groups, other than the policy panel, on program issues.

(c) Those persons who are members of the policy panel on December 31, 1983, shall continue to be members for the remainder of their terms and, upon expiration of their terms, shall be eligible for reappointment by the director.

CHAPTER 4. RURAL HEALTH SERVICES DEVELOPMENT

Article 1. Legislative Intent and General Provisions

1183. The Legislature makes the following findings and declarations:

(a) There is a maldistribution of health services in California. Most rural areas of the state do not have adequate health services because there are insufficient health personnel and facilities and inadequate transportation to such services.

(b) The lack of health services in rural areas has a negative impact on the health and safety of the public.

(c) Existing public programs to meet the problem of inadequate health services in rural areas are not sufficient in scope or properly coordinated to significantly improve the availability of health services.

(d) It is unlikely that the situation will improve without substantial state and local action.

It is, therefore, the intent of the Legislature in enacting this chapter to establish a program of rural health services in the state department. The purpose of the program is to improve the coordination of rural health services and to increase the amount and availability of the services.

The Legislature intends that the program consist of all the following:

(1) The California Health Services Corps in which health personnel are assigned to health care delivery organizations.

(2) Health services development projects, in which new health care delivery organizations are established.

(3) An organizational unit within the department to coordinate rural health programs.

1183.1. The state department shall implement a program to remedy deficiencies in health services in rural areas. The state department shall have responsibility for the following elements:

(a) California Health Services Corps.

(b) California Rural Health Services Development Projects.
(c) Coordination of Rural Health Programs.

1183.2. The director shall administer this chapter and shall adopt such rules, regulations, and standards as are necessary to implement this chapter.

1183.3. No services provided under this chapter shall substitute for current services and obligations of a county including those required by state law.

1183.4. Funds expended pursuant to this chapter shall be supplemental to those made available by the federal government for the National Health Services Corps and shall not duplicate, or replace, but may supplement and complement, any commitments made by the federal government to provide health personnel as needed.

1183.6. (a) It is the intent of the Legislature that the Rural Health Services Development Program be funded annually through the budgetary process.

(b) Notwithstanding any other provision of law, the state department may, to the extent funds are available, provide for advance payments for services to be performed under any contract entered into pursuant to this chapter with any small community based public or private nonprofit agency with modest reserves and potential cash flow problems, where the state department determines that such advance payments will further the purposes of this chapter. Advance payments shall not be made more than once a year.

Article 2. California Health Services Corps

1184. The director shall establish in the department, a California Health Services Corps. The purpose of the corps is to make available health personnel to rural areas which are presently receiving inadequate health services. The corps shall consist of physicians and surgeons, dentists, vision care providers, and other health professionals, such as nurse practitioners, physician assistants, nurses, dental hygienists, dental assistants, health educators, nutritionists, dietitians, health and nutrition aides, and such other personnel as the director finds necessary to meet the purposes of the program.

1184.1. Members of the California Health Services Corps may be assigned to the following categories of health services programs:
(a) Any nonprofit primary care clinic or licensed health facility.
(b) Any health provider or group provider.
(c) Any county health program or facility.
(d) Any state health program or facility.
(e) Any federal health program.

Assignments may be made to a health provider or facility, to a health services development project established pursuant to Article 3 (commencing with Section 1185), or directly to an area in California where health services are inadequate.

1184.2. Assignments shall be made in accordance with the following:

(a) The authority of any person to supervise any member of the corps shall be subject to approval by the director.

(b) No member of the corps shall be placed in an assignment without the prior agreement of the person or governing board in charge of the health delivery program to which the corps member is assigned.

(c) Corps members directly assigned to rural areas or to state-operated projects shall be contract employees of the California Health Services Corps. Corps members assigned to projects with a nonstate provider or facility may be employees of the provider or facility if specified by contract between the state and the provider or facility. The state shall provide malpractice insurance coverage for all corps personnel.

(d) Local consumers shall be consulted in the placement of California Health Services Corps members.

(e) In making the assignment of a corps member, the director shall seek to match the characteristics and preferences of the member with those of the area, population group, or medical facility to which the member may be assigned to the maximum extent possible in order to increase the probability of the member remaining to serve the area, population group, or medical facility upon completion of his or her assignment period.

1184.3. The director shall, by regulation, specify the salary schedules, other terms and conditions of employment, and reimbursement policies with respect to the employment of corps members which shall be followed by institutions, providers, or programs to which a member of the California Health Services Corps is assigned.

1184.4. Funds expended pursuant to this article may be used for any of the following purposes:

(a) Expenses of the state department in administering the program.

(b) Salaries and employee benefits for members of the California Health Services Corps.

(c) Supplies, equipment, minor capital outlay, and minor renovations.

1184.5. Assignments shall be made by the state department without regard to ability of residents in areas to pay.

Any provider or facility to which a California Health Services Corps member is assigned, and any corps member, shall be required to seek third party reimbursements, including Medi-Cal and private insurance, for any person served by the corps member. Any such corps member, provider, or facility may be required to provide reports to the state department concerning reimbursements and may be required to contribute all or part of the proceeds of reimbursements to the state department for deposit in the State Treasury in accordance with regulations or contracts adopted by the

state department after regulations have been approved by the Director of Finance.

1184.6. No corps member may refuse needed service to any person because of inability to pay for such service, or refuse service to persons on account of their entitlement to medical benefits under Title XVIII or XIX of the United States Social Security Act.

1184.7. The director may, upon request, provide technical assistance to groups preparing applications for assignment of corps personnel.

Article 3. Health Services Development Projects

1185. The state department shall plan and put into operation a number of health services development projects. The purpose of the projects shall be to demonstrate effective ways of providing health care services in underserved rural health areas. The director shall make the final decision on approval of a project.

1185.1. Applications may be made for funds for health services development projects and such projects may be initiated and operated by any agency, including, but not limited to, the following:

(1) A community agency, including a National Health Services Corps site.

(2) An ongoing rural health program, including migrant health or American Indian health program.

(3) A family practice education program.

(4) A county health department.

(5) The state department.

(6) Any health facility or licensed nonprofit primary care clinic.

1185.2. Projects may be in the form of grants or loans provided under contract between the state department and the contracting nonprofit agency, or may be administered directly by the state department.

1185.3. The state department may assist community agencies to develop contract proposals.

1185.4. Project proposals shall be considered which address the health needs of rural populations, including, but not limited to, migratory and other agricultural workers, American Indians, and senior citizens, who have insufficient access to adequate levels of health care services due to geographical isolation or economic factors.

Projects which are approved shall accomplish one or more of the following:

(1) Provide primary health care, including preventive health services and diagnostic, treatment, referral, and followup services.

(2) Provide comprehensive health care, including specialized physician services, inpatient and outpatient facilities, laboratory and X-ray services, home health services, and other specialized services.

(3) Provide emergency medical services designed to meet the special problems of rural isolation.

(4) Provide transportation appropriate to achieving the goal of making health care services available to residents of rural areas.

(5) Provide electronic communication technology to improve health care delivery and emergency health services in the designated rural areas.

(6) Establish regional health systems, including linkage with both rural and urban health programs and facilities.

(7) Improve the quality of medical care and the administrative capabilities of agencies and management systems in rural areas.

(8) Provide health education programs in the designated rural areas, including health and nutrition education, and continuing education for health professionals.

(9) Promote nurse practitioner and physician assistants programs and other programs for training and placement of health professionals in the designated areas to respond to rural manpower shortages.

1185.5. Project funding shall be for one year. Continuation of funding for a project shall depend on progress toward achieving the goals of the project. The director shall make the final decision to continue or discontinue a project. In evaluating the success of a project, the director shall take into account the number of additional persons who are receiving quality health care as a result of the operation of the project and the improvement in health status of the population served by the project.

1185.6. Each applicant shall form an advisory committee for the project. The advisory committee shall participate in all of the following:

(a) Planning the project.

(b) Reviewing the progress of the project.

(c) Proposing changes in the project.

(d) Planning for the continuation of the project after the grant period through self-sufficiency.

At least one-half of the members of the advisory committee shall be consumers, as defined by Public Law 93-641. The advisory committee shall include, where feasible, representatives of the health service agencies, the Seasonal Agricultural and Migratory Workers Advisory Committee, the American Indian Health Policy Panel, consumers selected from rural target populations, such as American Indians, senior citizens, Medi-Cal recipients, isolated rural residents, and agricultural and forestry workers, providers from rural areas, and persons with knowledge of rural areas from educational institutions, and state, county, and federal agencies.

1185.7. Each contract for a project shall require the contracting agency to seek third-party reimbursements, including Medi-Cal and private insurance, for any person served under the contract. Each contract shall require the contracting agency to provide reports to the department on reimbursements and may require the contracting agencies to contribute all or part of the proceeds of reimbursements to the state department for deposit in the State Treasury in

accordance with regulations to be adopted by the department after such regulations are approved by the Director of Finance.

1185.8. State-operated projects shall be established only in accordance with all of the following:

(a) The health of the population in a rural area would be substantially improved by the establishment of a project.

(b) There exists no local public or nonprofit agency willing and able to undertake the project.

(c) The project contains two or more of the elements specified in Section 1185.4.

A project may employ staff, and may purchase, rent, or lease supplies and equipment where required. A project may also rent or lease land and buildings where required.

Article 4. Coordination of Rural Health Programs

1186. The director shall ensure the coordination of state efforts in rural health in order to maximize effective use of scarce medical resources and to coordinate efforts to provide health services through the California Health Services Corps and health services development projects with existing program resources, including, but not limited to, migrant health programs, American Indian health programs, contract county health services programs, the National Health Service Corps, and other related programs administered by the state department to ensure minimal duplication and maximum effectiveness.

1186.1. (a) The Advisory Committee on Rural Health Services in existence on December 31, 1983, is continued in existence to advise the state department on rural health programs.

The committee shall be composed of 21 members, appointed by the director. At least 11 of the members of the advisory committee shall be consumers, as defined in Public Law 93-641. Of the 10 nonconsumer members of the advisory committee, two members shall be local county health officers. The advisory committee shall include consumers selected from rural target populations, such as American Indians, senior citizens, Medi-Cal recipients, isolated rural residents, agricultural and forestry workers, providers from rural areas, and persons with knowledge of rural areas from educational institutions, and state, county, and federal agencies. The members of the advisory committee shall receive no compensation for their services, but shall be reimbursed for their actual, necessary traveling and other expenses incurred in the discharge of their duties.

(b) Those persons who are members of the committee on December 31, 1983, shall continue to be members for the remainder of their terms and, upon expiration of their terms, shall be eligible for reappointment by the director.

1186.2. The Health Manpower Policy Commission shall establish a plan which integrates family practice residencies and other health sciences education programs established in rural areas pursuant to

the provisions of Article 8 (commencing with Section 31910) of Chapter 5 of Division 5 of Division 22 of the Education Code with the health services provided pursuant to Article 3 (commencing with Section 1185).

1186.3. The Health Manpower Policy Commission, in coordination with the Rural Health Section of the state department, shall designate the geographical rural areas within California where unmet priority need for medical services exists.

1186.4. The director shall utilize the authority to establish health manpower pilot projects pursuant to Article 18 (commencing with Section 429.70) of Chapter 2 of Part 1 to develop personnel with such special health and medical skills as may effectively advance the objectives of this part.

1186.5. Each proposal for health corps personnel or project application under Article 3 (commencing with Section 1185) shall be submitted to the appropriate county health officer or district health officer for review and recommendation. The review and recommendation shall be completed within 30 days of receipt. Any recommendations made shall be based upon the Health Systems Plan and Annual Implementation Plan as required for that area by Public Law 93-641.

1186.6. If the director decides to act contrary to the recommendation of a county or district health officer made pursuant to Section 1186.5, the director shall explain his or her action in writing to the appropriate board of supervisors.

1186.7. Nothing in this part shall affect the operation of local public health services contracted for by the state department with other agencies pursuant to Section 1157.

CHAPTER 5. GRANTS-IN-AID FOR CLINICS

1187. The Legislature finds and declares that:

(a) In California there are approximately 300 community clinics and free clinics which provide primary health care at low cost for a significant portion of the medically underserved population.

(b) These clinics account for more than 3,000,000 patient visits annually.

(c) Increasingly large caseloads, the debilitating effects of inflation on purchased goods and services, and a lack of financial resources are forcing many community and free clinics to curtail services needed in their communities.

(d) Recognizing the contribution of community and free clinics to the health care of Californians and the contribution of such clinics to lowering the costs of health care, it is in the interest of the people of this state to ensure continuation of clinic programs by providing necessary funding.

1187.1. The state department shall conduct a program of grants-in-aid for the following purposes:

(a) To assist in stabilizing the health care operations of

community clinics and free clinics which provide a wide range of primary health care services.

(b) To fund innovative and creative programs of such clinics designed to provide a high quality of health services at minimum cost.

Eligibility for grants shall be limited to community clinics, free clinics, clinics exempt from licensure under subdivision (c) of Section 1206, and any nonprofit corporation which is comprised of not less than three such clinics having a combined service area covering an entire county or more. Grants authorized pursuant to this chapter shall be limited in purpose to defraying operating expenses of the recipient clinic, including personnel costs, and for technical assistance provided to the recipient. Grants shall not be made or used for purchase of equipment, facility renovations, or purchase of land or buildings. As a condition to making a grant pursuant to this chapter, the director shall require the applicant to match not less than 20 or more than 40 percent of the amount granted. The required matching funds shall be determined by the director, based upon the ability of the applicant to provide matching funds. The required match may be in cash or in-kind contributions, or a combination of both. In-kind contributions may include, but shall not be limited to, staff and volunteer services. The director may waive all or a portion of the grantee match in individual cases of demonstrated hardship if the director determines that making the grant would effectively serve the purposes of this chapter. The director shall adopt criteria to be applied in determining whether to grant requests for such waivers.

1187.2. The state department shall annually receive and process grant applications submitted by eligible applicants, and shall allocate grant moneys in accordance with the policies and priorities adopted pursuant to this chapter. Individual grants shall be limited to a maximum of sixty thousand dollars ($60,000), including grants to nonprofit corporations comprised of more than one clinic. However, grants may be renewed on an annual basis, subject to the submission and review of an annual renewal application, which shall be considered with, and subject to the same priorities as, new applications. No applicant shall receive more than one grant in any year.

Each grant shall be subject to a contract between the state department and the grantee prescribing the services to be provided by the grantee thereunder and other conditions of the grant. A contract may provide for periodic advance payments for services to be performed, but in no event shall advance payments exceed 25 percent of the grant.

1187.3. In developing policies and priorities pertaining to the allocation of grant funds, the state department shall give primary consideration to the following factors:

(a) The applicant's need for funds to continue its current level of operation.

(b) The applicant's long-term prospects for financial stability.

(c) The quality of services provided.

(d) The high-risk or underserved population groups currently being served by the applicant.

All of the above factors being present, clinics primarily serving population groups determined by the director to be medically underserved shall be entitled to first consideration in the allocation of grant funds.

The state department shall adopt guidelines for establishment of grant-supported activities, including criteria for evaluation of each activity and monitoring to assure compliance with grant conditions and applicable regulations of the state department. The guidelines shall be developed in consultation with the Primary Care Clinics Advisory Committee and such advisory committees and persons as the state department determines are appropriate.

SEC. 4. Part 4 (commencing with Section 1185) of Division 1 of the Health and Safety Code is repealed.

SEC. 5. Article 6 (commencing with Section 1246) of Chapter 1 of Division 2 of the Health and Safety Code is repealed.

CHAPTER 1296

An act to add Section 51280.1 to the Government Code, relating to agricultural land.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983]

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

SECTION 1. The Legislature finds and declares that possible misinterpretations of Chapter 1095 of the Statutes of 1981, with regard to applications which have been approved by a county board of supervisors or city council and which are subject to litigation might wrongfully result in the denial of cancellations under that chapter. The Legislature therefore declares that the findings requirements of that chapter were and are satisfied if a local board or council has acted in accordance with Section 51280.1 of the Government Code, as added by this act.

SEC. 2. Section 51280.1 is added to the Government Code, to read:

51280.1. As used in this chapter, the finding of a board or council that "cancellation and alternative use will not result in discontiguous patterns of urban development" authorizes, but does not require, the board or council to cancel a contract if it finds that the alternative use will be rural in character and that the alternative use will result within the foreseeable future in a contiguous pattern of development within the relevant subregion. The board or council is not required

to find that the alternative use will be immediately contiguous to like development. In rendering its finding, the board or council acts in its own discretion to evaluate the proposed alternative use according to existing and projected conditions within its local jurisdiction.

The provisions of this section shall apply only to those proceedings for the cancellation of contracts which were initiated pursuant to Section 51282.1, and, consistent with the provisions of Section 9 of Chapter 1095 of the Statutes of 1981, shall apply to the same extent as the provisions of Section 51282.1, notwithstanding their repeal.

CHAPTER 1297

An act to amend and repeal Section 432.7 of the Labor Code, and to amend and repeal Sections 11105 and 13300 of, and to add Sections 11105.05 and 13300.1 to the Penal Code, relating to criminal history.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983]

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

SECTION 1. It is the intent of the Legislature in enacting this statute to provide for the security of the Olympic Games and to insure that the information which will be provided to the Olympic Committee not be utilized in such a manner as to discriminate against any person based upon race, ethnicity, sex, or national origin.

SEC. 2. Section 432.7 of the Labor Code is amended to read:

432.7. (a) No employer whether a public agency or private individual or corporation shall ask an applicant for employment to disclose, through any written form or verbally, information concerning an arrest or detention which did not result in conviction, or information concerning a referral to and participation in any pretrial or posttrial diversion program, nor shall any employer seek from any source whatsoever, or utilize, as a factor in determining any condition of employment including hiring, promotion, termination, or any apprenticeship training program or any other training program leading to employment, any record of arrest or detention which did not result in conviction, or any record regarding a referral to and participation in any pretrial or posttrial diversion program. As used in this section, a conviction shall include a plea, verdict, or finding of guilt regardless of whether sentence is imposed by the court. Nothing in this section shall prevent an employer from asking an employee or applicant for employment about an arrest for which the employee or applicant is out on bail or on his or her own recognizance pending trial.

(b) In any case where a person violates any provision of this section, or Article 6 (commencing with Section 11140) of Chapter 1 of Title 1 of Part 4 of the Penal Code, the applicant may bring an

action to recover from such person actual damages or two hundred dollars ($200), whichever is greater, plus costs, and reasonable attorney's fees. An intentional violation of this section shall entitle the applicant to treble actual damages, or five hundred dollars ($500), whichever is greater, plus costs, and reasonable attorney's fees. An intentional violation of this section is a misdemeanor punishable by a fine not to exceed five hundred dollars ($500).

(c) The remedies under this section shall be in addition to and not in derogation of all other rights and remedies which an applicant may have under any other law.

(d) Persons seeking employment as peace officers or for positions in the Department of Justice or other criminal justice agencies as defined in Section 13101 of the Penal Code are not covered by this section.

(e) Nothing in this section shall prohibit an employer at a health facility, as defined in Section 1250 of the Health and Safety Code, from asking an applicant for employment either of the following:

(1) With regard to an applicant for a position with regular access to patients, to disclose an arrest under any section specified in Section 290 of the Penal Code.

(2) With regard to an applicant for a position with access to drugs and medication, to disclose an arrest under any section specified in Section 11590 of the Health and Safety Code.

(f) (1) No peace officer or employee of a law enforcement agency with access to criminal offender record information maintained by a local law enforcement criminal justice agency shall knowingly disclose, with intent to affect a person's employment, any information contained therein pertaining to an arrest or detention or proceeding which did not result in a conviction, including information pertaining to a referral to and participation in any pretrial or posttrial diversion program, to any person not authorized by law to receive such information.

(2) No other person authorized by law to receive criminal offender record information maintained by a local law enforcement criminal justice agency shall knowingly disclose any information received therefrom pertaining to an arrest or detention or proceeding which did not result in a conviction, including information pertaining to a referral to and participation in any pretrial or posttrial diversion program, to any person not authorized by law to receive such information.

(3) No person, except those specifically referred to in Section 1070 of the Evidence Code, who knowing he or she is not authorized by law to receive or possess criminal justice records information maintained by a local law enforcement criminal justice agency, pertaining to an arrest or other proceeding which did not result in a conviction, including information pertaining to a referral to and participation in any pretrial or posttrial diversion program, shall receive or possess such information.

(g) "A person authorized by law to receive such information", for

purposes of this section, means any person or public agency authorized by a court, statute, or decisional law to receive information contained in criminal offender records maintained by a local law enforcement criminal justice agency, and includes, but is not limited to, those persons set forth in Section 11105 of the Penal Code, and any person employed by a law enforcement criminal justice agency who is required by such employment to receive, analyze, or process criminal offender record information.

(h) Nothing in this section shall require the Department of Justice to remove entries relating to an arrest or detention not resulting in conviction from summary criminal history records forwarded to an employer pursuant to law.

(i) As used in this section, "pretrial or posttrial diversion program" means any program under Chapter 2.5 (commencing with Section 1000) or Chapter 2.7 (commencing with Section 1001) of Title 6 of Part 2 of the Penal Code, Section 13201, 13201.5 or 13352.5 of the Vehicle Code, or any other program expressly authorized and described by statute as a diversion program.

(j) The provisions of subdivision (a) shall not apply to the Los Angeles Olympic Organizing Committee, and the Olympic Games Law Enforcement Coordinating Council and its designated representatives employed by member agencies in screening, pursuant to subdivision (k), current and prospective Los Angeles Olympic Organizing Committee employees, Olympic Games concessionaires and contractors and their subcontractors, agents, and employees, and any other individuals who require Olympic accreditation. However, individuals shall not be asked to disclose arrests except for which the individual is out on bail or on his or her own recognizance pending trial.

(k) (1) Nothing in subdivision (a) shall prohibit the Olympic Games Law Enforcement Coordinating Council from denying Olympic Games accreditation to individuals on the basis of a recommendation pursuant to paragraph (2). No employer other than the Los Angeles Olympics Organizing Committee shall utilize such a recommendation or denial of accreditation as a factor in determining any condition of employment including hiring, promotion, termination, or any apprenticeship training program or any other training program leading to employment, for work conducted by the employer that is not conducted as an Olympic Games concessionaire, contractor, or subcontractor.

(2) State and local law enforcement agencies who are members of the Olympic Games Law Enforcement Coordinating Council may inform the Los Angeles Olympics Organizing Comittee of their recommendation as to whether or not an individual should be granted Olympic Games accreditation based upon (i) conviction for a felony or misdemeanor involving moral turpitude or (ii) a currently pending criminal charge. In making its recommendation, the agency shall consider the nature of the crime for which the applicant was convicted or the currently pending criminal charge in

relationship to the specific assignment for which the applicant is being considered and any evidence of rehabilitation and the period of time that has elapsed since the conviction.

(3) Any person denied accreditation by reason of a recommendation made pursuant to paragraph (2) shall be informed in writing of the reason for denial and shall have the opportunity to correct any inaccuracy or incompleteness in the state or local summary criminal history information pursuant to Section 11126 or Section 13324 of the Penal Code. The person shall also be entitled to an appeal of such recommendation, which appeal must be filed within five days of notice of such recommendation, with the Olympic Games Law Enforcement Coordinating Council. The decision on such appeal shall be rendered within five days after the appeal is made.

(*l*) This section shall remain in effect only until August 31, 1984, and as of such date is repealed, unless a later enacted statute, which is chaptered on or before August 31, 1984, deletes or extends such date. If that date is not deleted or extended, then, on and after August 31, 1984, pursuant to Section 9611 of the Government Code, Section 432.7 of the Labor Code, as amended by Section 1 of Chapter 1103 of the Statutes of 1981, shall have the same force and effect as if this temporary provision had not been enacted.

SEC. 3. Section 11105 of the Penal Code is amended to read:

11105. (a) (1) The Department of Justice shall maintain state summary criminal history information.

(2) As used in this section:

(i) "State summary criminal history information" means the master record of information compiled by the Attorney General pertaining to the identification and criminal history of any person, such as name, date of birth, physical description, date of arrests, arresting agencies and booking numbers, charges, dispositions, and similar data about such person.

(ii) "State summary criminal history information" does not refer to records and data compiled by criminal justice agencies other than the Attorney General, nor does it refer to records of complaints to or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice.

(b) The Attorney General shall furnish state summary criminal history information to any of the following, when needed in the course of their duties, provided that when information is furnished to assist an agency, officer, or official of state or local government, a public utility, or any entity, in fulfilling employment, certification, or licensing duties, the provisions of Chapter 1321 of the Statutes of 1974 and of Section 432.7 of the Labor Code shall apply:

(1) The courts of the state.

(2) Peace officers of the state as defined in Section 830.1, subdivisions (a), (b), and (f) of Section 830.2, subdivision (a) of Section 830.3, subdivisions (a) and (b) of Section 830.5, and

subdivision (a) of Section 830.31.

(3) District attorneys of the state.

(4) Prosecuting city attorneys of any city within the state.

(5) Probation officers of the state.

(6) Parole officers of the state.

(7) A public defender or attorney of record when representing a person in proceedings upon a petition for a certificate of rehabilitation and pardon pursuant to Section 4852.08 of the Penal Code.

(8) A public defender or attorney of record when representing a person in a criminal case and when authorized access by statutory or decisional law.

(9) Any agency, officer, or official of the state when such criminal history information is required to implement a statute or regulation that expressly refers to specific criminal conduct applicable to the subject person of the state summary criminal history information, and contains requirements or exclusions, or both, expressly based upon such specified criminal conduct.

(10) Any city or county, or city and county, or district, or any officer, or official thereof when access is needed in order to assist such agency, officer, or official in fulfilling employment, certification, or licensing duties, and when such access is specifically authorized by the city council, board of supervisors or governing board of the city, county, or district when such criminal history information is required to implement a statute, ordinance, or regulation that expressly refers to specific criminal conduct applicable to the subject person of the state summary criminal history information, and contains requirements or exclusions, or both, expressly based upon such specified criminal conduct.

(11) The subject of the state summary criminal history information under procedures established under Article 5 (commencing with Section 11120), Chapter 1, Title 1 of Part 4 of the Penal Code.

(12) Any person or entity when access is expressly authorized by statute when such criminal history information is required to implement a statute or regulation that expressly refers to specific criminal conduct applicable to the subject person of the state summary criminal history information, and contains requirements or exclusions, or both, expressly based upon such specified criminal conduct.

(13) Health officers of a city, county, or city and county, or district, when in the performance of their official duties enforcing Section 3110 of the Health and Safety Code.

(14) Any managing or supervising correctional officer of a county jail or other county correctional facility.

(c) The Attorney General may furnish state summary criminal history information upon a showing of a compelling need to any of the following, provided that when information is furnished to assist an agency, officer, or official of state or local government, a public

utility, or any entity, in fulfilling employment, certification, or licensing duties, the provisions of Chapter 1321 of the Statutes of 1974 and of Section 432.7 of the Labor Code shall apply:

(1) Any public utility as defined in Section 216 of the Public Utilities Code which operates a nuclear energy facility when access is needed in order to assist in employing persons to work at such facility, provided that, if the Attorney General supplies such data, he shall furnish a copy of such data to the person to whom the data relates.

(2) To a peace officer of the state other than those included in subdivision (b).

(3) To a peace officer of another country.

(4) To public officers (other than peace officers) of the United States, other states, or possessions or territories of the United States, provided that access to records similar to state summary criminal history information is expressly authorized by a statute of the United States, other states, or possessions or territories of the United States when such information is needed for the performance of their official duties.

(5) To any person when disclosure is requested by a probation, parole, or peace officer with the consent of the subject of the state summary criminal history information and for purposes of furthering the rehabilitation of the subject.

(6) The courts of the United States, other states or territories or possessions of the United States.

(7) Peace officers of the United States, other states, or territories or possessions of the United States.

(8) To any individual who is the subject of the record requested when needed in conjunction with an application to enter the United States or any foreign nation.

(9) Any public utility as defined in Section 216 of the Public Utilities Code, when access is needed in order to assist in employing current or prospective employees who in the course of their employment may be seeking entrance to private residences. The information provided shall be limited to the record of convictions and any arrest for which the person is released on bail or on his or her own recognizance pending trial.

If the Attorney General supplies the data pursuant to this paragraph, the Attorney General shall furnish a copy of the data to the current or prospective employee to whom the data relates.

Any information obtained from the state summary criminal history is confidential and the receiving public utility shall not disclose its contents, other than for the purpose for which it was acquired. The state summary criminal history information in the possession of the public utility and all copies made from it shall be destroyed not more than 30 days after employment or promotion or transfer is denied or granted, except for those cases where a current or prospective employee is out on bail or on his or her own recognizance pending trial, in which case the state summary criminal history information

and all copies shall be destroyed not more than 30 days after the case is resolved.

A violation of any of the provisions of this paragraph is a misdemeanor, and shall give the current or prospective employee who is injured by the violation a cause of action against the public utility to recover damages proximately caused by the violations. Any public utility's request for state summary criminal history information for purposes of employing current or prospective employees who may be seeking entrance to private residences in the course of their employment shall be deemed a "compelling need" as required to be shown in this subdivision.

Nothing in this section shall be construed as imposing any duty upon public utilities to request state summary criminal history information on any current or prospective employees.

(10) To any campus of the California State University and Colleges or the University of California, or any four-year college or university accredited by a regional accreditation organization approved by the United States Department of Education, when needed in conjunction with an application for admission by a convicted felon to any special education program for convicted felons, including, but not limited to, university alternatives and halfway houses. Only conviction information shall be furnished. The college or university may require the convicted felon to be fingerprinted, and any inquiry to the department under this section shall include the convicted felon's fingerprints and any other information specified by the department.

(11) The 1984 Olympic Games Law Enforcement Coordinating Council, and its designated representatives employed by member agencies, to assist in the screening of current and prospective Los Angeles Olympic Organizing Committee employees, Olympic Games concessionaires and contractors, and their subcontractors, agents, and employees, and any other individuals who require Olympic Games accreditation, when criminal history information is required to make a recommendation pursuant to Labor Code, Section 432.7. The council's request for and use of criminal history information shall be a "compelling need" pursuant to this subdivision for the purpose of assuring the security of the 1984 Olympic Games. Any information obtained from state summary criminal history information is confidential and the recipient shall not disclose its contents other than for the purpose for which it was acquired. The state summary criminal history information which is disclosed either by a law enforcement agency, the Olympic Committee, or any other person or entity pursuant to this paragraph shall include a notification to the recipient that the information is confidential and the recipient shall not disclose its contents other than for the purpose for which it was disclosed, and that the information is required by law to be destroyed after a specified period of time.

(d) Whenever an authorized request for state summary criminal history information pertains to a person whose fingerprints are on

file with the Department of Justice and the department has no criminal history of that person, and the information is to be used for employment, licensing, or certification purposes, the fingerprint card accompanying such request for information, if any, may be stamped "no criminal record" and returned to the person or entity making the request.

(e) Whenever state summary criminal history information is furnished as the result of an application and is to be used for employment, licensing or certification purposes, the Department of Justice may charge the person or entity making the request a fee which it determines to be sufficient to reimburse the department for the cost of furnishing such information. In addition, the Department of Justice may add a surcharge to the fee to fund maintenance and improvements to the systems from which the information is obtained. Any state agency required to pay a fee to the department for information received under this section may charge the applicant a fee sufficient to reimburse the agency for such expense. All moneys received by the department pursuant to this section, Section 12054 of the Penal Code, and Section 13588 of the Education Code shall be deposited in a special account in the General Fund to be available for expenditure by the department to offset costs incurred pursuant to such sections and for maintenance and improvements to the systems from which the information is obtained when appropriated by the Legislature therefor.

(f) Whenever there is a conflict, the processing of criminal fingerprints and fingerprints of applicants for security guard or alarm agent registrations or firearms qualification permits submitted pursuant to Section 7514 of the Business and Professions Code shall take priority over the processing of applicant fingerprints.

(g) It is not a violation of this section to disseminate statistical or research information obtained from a record, provided that the identity of the subject of the record is not disclosed.

(h) It is not a violation of this section to include information obtained from a record in (1) a transcript or record of a judicial or administrative proceeding or (2) any other public record when the inclusion of the information in the public record is authorized by a court, statute, or decisional law.

(i) This section shall remain in effect only until August 31, 1984, and as of such date is repealed, unless a later enacted statute, which is chaptered on or before August 31, 1984, deletes or extends such date. If that date is not deleted or extended, then, on and after August 31, 1984, pursuant to Section 9611 of the Government Code, Section 11105 of the Penal Code, as amended by Section 63.3 of Chapter 323 of the Statutes of 1983, shall have the same force and effect as if this temporary provision had not been enacted.

SEC. 3.5. Section 11105.05 is added to the Penal Code, to read:

11105.05. Any information generated pursuant to the provisions of paragraph (11) of subdivision (c) of Section 11105 shall be destroyed at the end of the limitation period for the filing of a civil

action arising out of the screening or accreditation of persons as current or prospective employees, concessionaires and contractors and their subcontractors, agents and employees for Olympic Games purposes. The knowing and willful failure to (1) notify the recipient as required by Section 11105, or (2) to destroy any information as required by this section, is a misdemeanor punishable in a county jail not exceeding one year or by a fine not exceeding one thousand dollars ($1,000) or both.

SEC. 4. Section 13300 of the Penal Code is amended to read:

13300. (a) As used in this section:

(1) "Local summary criminal history information" means the master record of information compiled by any local criminal justice agency pursuant to Chapter 2 (commencing with Section 13100) of Title 3 of Part 4 of the Penal Code pertaining to the identification and criminal history of any person, such as name, date of birth, physical description, dates of arrests, arresting agencies and booking numbers, charges, dispositions, and similar data about such person.

(2) "Local summary criminal history information" does not refer to records and data compiled by criminal justice agencies other than that local agency, nor does it refer to records of complaints to or investigations conducted by, or records of intelligence information or security procedures of, the local agency.

(3) "Local agency" means a local criminal justice agency.

(b) A local agency shall furnish local summary criminal history information to any of the following, when needed in the course of their duties, provided that when information is furnished to assist an agency, officer, or official of state or local government, a public utility, or any entity, in fulfilling employment, certification, or licensing duties, the provisions of Chapter 1321 of the Statutes of 1974 and of Section 432.7 of the Labor Code shall apply:

(1) The courts of the state.

(2) Peace officers of the state as defined in Section 830.1, subdivisions (a) and (b) of Section 830.2, subdivisions (a), (b), and (j) of Section 830.3, subdivisions (a), (b), and (c) of Section 830.5, and Section 830.5a.

(3) District attorneys of the state.

(4) Prosecuting city attorneys of any city within the state.

(5) Probation officers of the state.

(6) Parole officers of the state.

(7) A public defender or attorney of record when representing a person in proceedings upon a petition for a certificate of rehabilitation and pardon pursuant to Section 4852.08.

(8) A public defender or attorney of record when representing a person in a criminal case and when authorized access by statutory or decisional law.

(9) Any agency, officer, or official of the state when such criminal history information is required to implement a statute, a regulation, or an ordinance that expressly refers to specific criminal conduct applicable to the subject person of the local summary criminal

history information, and contains requirements or exclusions, or both, expressly based upon such specified criminal conduct.

(10) Any city or county, or city and county, or district, or any officer, or official thereof when access is needed in order to assist such agency, officer, or official in fulfilling employment, certification, or licensing duties, and when such access is specifically authorized by the city council, board of supervisors or governing board of the city, county, or district when such criminal history information is required to implement a statute, a regulation, or an ordinance that expressly refers to specific criminal conduct applicable to the subject person of the local summary criminal history information, and contains requirements or exclusions, or both, expressly based upon such specified criminal conduct.

(11) The subject of the local summary criminal history information.

(12) Any person or entity when access is expressly authorized by statute when such criminal history information is required to implement a statute, a regulation, or an ordinance that expressly refers to specific criminal conduct applicable to the subject person of the local summary criminal history information, and contains requirements or exclusions, or both, expressly based upon such specified criminal conduct.

(13) Any managing or supervising correctional officer of a county jail or other county correctional facility.

(c) The local agency may furnish local summary criminal history information, upon a showing of a compelling need, to any of the following, provided that when information is furnished to assist an agency, officer, or official of state or local government, a public utility, or any entity, in fulfilling employment, certification, or licensing duties, the provisions of Chapter 1321 of the Statutes of 1974 and of Section 432.7 of the Labor Code shall apply:

(1) Any public utility as defined in Section 216 of the Public Utilities Code which operates a nuclear energy facility when access is needed in order to assist in employing persons to work at such facility, provided that, if the local agency supplies such data, it shall furnish a copy of such data to the person to whom the data relates.

(2) To a peace officer of the state other than those included in subdivision (b).

(3) To a peace officer of another country.

(4) To public officers (other than peace officers) of the United States, other states, or possessions or territories of the United States, provided that access to records similar to local summary criminal history information is expressly authorized by a statute of the United States, other states, or possessions or territories of the United States when such information is needed for the performance of their official duties.

(5) To any person when disclosure is requested by a probation, parole, or peace officer with the consent of the subject of the local summary criminal history information and for purposes of furthering

the rehabilitation of the subject.

(6) The courts of the United States, other states or territories or possessions of the United States.

(7) Peace officers of the United States, other states, or territories or possessions of the United States.

(8) To any individual who is the subject of the record requested when needed in conjunction with an application to enter the United States or any foreign nation.

(9) Any public utility as defined in Section 216 of the Public Utilities Code, when access is needed in order to assist in employing persons who will be seeking entrance to private residences in the course of their employment. The information provided shall be limited to the record of convictions and any arrest for which the person is released on bail or on his or her own recognizance pending trial.

If the local agency supplies the data pursuant to this paragraph, it shall furnish a copy of the data to the person to whom the data relates.

Any information obtained from the local summary criminal history is confidential and the receiving public utility shall not disclose its contents, other than for the purpose for which it was acquired. The local summary criminal history information in the possession of the public utility and all copies made from it shall be destroyed 30 days after employment is denied or granted, including any appeal periods, except for those cases where an employee or applicant is out on bail or on his or her own recognizance pending trial, in which case the state summary criminal history information and all copies shall be destroyed 30 days after the case is resolved, including any appeal periods.

A violation of any of the provisions of this paragraph is a misdemeanor, and shall give the employee or applicant who is injured by the violation a cause of action against the public utility to recover damages proximately caused by the violation.

Nothing in this section shall be construed as imposing any duty upon public utilities to request local summary criminal history information on any current or prospective employee.

Seeking entrance to private residences in the course of employment shall be deemed a "compelling need" as required to be shown in this subdivision.

(10) The 1984 Olympic Games Law Enforcement Coordinating Council, and its designated representatives employed by member agencies, to assist in the screening of current and prospective Los Angeles Olympic Organizing Committee employees, Olympic Games concessionaires and contractors, and their subcontractors, agents, and employees, and any other individuals who require Olympic Games accreditation, when criminal history information is required to make recommendation pursuant to Labor Code, Section 432.7. The council's request for and use of criminal history shall be a "compelling need" pursuant to this subdivision for the purpose of

assuring the security of the 1984 Olympic Games. Any information obtained from the local summary criminal history is confidential and the recipient shall not disclose its contents other than for the purpose for which it is acquired. Any information which is disclosed either by a law enforcement agency, the Olympic Committee, or any other person or entity pursuant to this paragraph shall include a notification to the recipient that the information is confidential and the recipient shall not disclose its contents other than for the purpose for which it was disclosed, and that the information is required by law to be destroyed after a specified period of time.

(d) Whenever an authorized request for local summary criminal history information pertains to a person whose fingerprints are on file with the local agency and the local agency has no criminal history of that person, and the information is to be used for employment, licensing, or certification purposes, the fingerprint card accompanying such request for information, if any, may be stamped "no criminal record" and returned to the person or entity making the request.

(e) Whenever local summary criminal history information furnished pursuant to this section is to be used for employment, licensing, or certification purposes, the local agency shall charge the person or entity making the request a fee which it determines to be sufficient to reimburse the local agency for the cost of furnishing such information, provided that no fee shall be charged to any public law enforcement agency for local summary criminal history information furnished to assist it in employing, licensing, or certifying a person who is applying for employment with the agency as a peace officer, or criminal investigator. Any state agency required to pay a fee to the local agency for information received under this section may charge the applicant a fee sufficient to reimburse the agency for such expense.

(f) Whenever there is a conflict, the processing of criminal fingerprints shall take priority over the processing of applicant fingerprints.

(g) It is not a violation of this article to disseminate statistical or research information obtained from a record, provided that the identity of the subject of the record is not disclosed.

(h) It is not a violation of this article to include information obtained from a record in (1) a transcript or record of a judicial or administrative proceeding or (2) any other public record when the inclusion of the information in the public record is authorized by a court, statute, or decisional law.

(i) This section shall remain in effect only until August 31, 1984, and as of such date is repealed, unless a later enacted statute, which is chaptered on or before August 31, 1984, deletes or extends such date. If that date is not deleted or extended, then, on and after August 31, 1984, pursuant to Section 9611 of the Government Code, Section 13300 of the Penal Code, as amended by Section 4 of Chapter 1103 of the Statutes of 1981, shall have the same force and effect as

if this temporary provision had not been enacted.

SEC. 5. Section 13300.1 is added to the Penal Code, to read:

13300.1. Any information generated pursuant to the provisions of paragraph (10) of subdivision (c) of Section 13300 shall be destroyed at the end of the limitation period for the filing of a civil action arising out of the screening or accreditation of persons as current or prospective employees, concessionaires and contractors and their subcontractors, agents and employees for Olympic Games purposes. The knowing and willful failure (1) to notify the recipient as required by Section 13300, or (2) to destroy any information as required by this section is a misdemeanor punishable in a county jail not exceeding one year or by a fine not exceeding one thousand dollars ($1,000) or both.

SEC. 6. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.

CHAPTER 1298

An act to amend Section 50402 of the Government Code, and to amend and supplement the Budget Act of 1983 by adding Items 3790-102-742 and 3790-496-742 and Sections 8.20 and 8.25 thereto, relating to parks and recreation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983]

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

SECTION 1. Section 50402 of the Government Code is amended to read:

50402. (a) A city, county, or city and county owning property or leasing property which is devoted to park, amusement, or recreational purposes may make a charge for use or services provided therein in the amount as may be provided by resolution by the governing body. No charge shall be imposed which exceeds the cost of the service provided. To the extent feasible, charges for similar uses or services imposed by a governing body pursuant to this section shall be uniform throughout its area of jurisdiction.

(b) On and after January 1, 1984, any new charge or any increase resulting in a charge, for the use of any property which was acquired or developed with a local assistance grant of funds from any state

park bond act and is devoted to a purpose specified in subdivision (a), in excess of 125 percent of those fees charged by the Department of Parks and Recreation for the use of similar state facilities, shall not be imposed until it has been reviewed and approved by the Director of Parks and Recreation. Prior to approving the new charge or an increase in a charge, the director shall first find that the charge or increase is reasonable and necessary.

(c) The city, county, or city and county may, by resolution of the governing body, control, regulate, restrict, or close road entrances under its jurisdiction to these areas for the purpose of facilitating collection of these charges.

SEC. 2. Item 3790-102-742 is added to the Budget Act of 1983 (Chapter 324, Statutes of 1983), to read:

NEJEDLY-HART STATE, URBAN AND COASTAL PARK BOND ACT PROGRAM

3790-102-742—For local assistance, Department of Parks and Recreation, payable from the State, Urban and Coastal Park Fund		274,000
Schedule:		
(a) Project grants	274,000	
Projects in Del Norte County		
(1) County of Del Norte, Pyke Field	3,000	
Projects in El Dorado County		
(2) City of South Lake Tahoe, Tahoe Valley Multi-Use Areas	14,000	
Projects in Fresno County		
(3) County of Fresno, County Parks Improvements	11,000	
Projects in Los Angeles County		
(4) County of Los Angeles, Whites Point Beach	108,000	
Projects in Merced County		
(5) County of Merced, Lake Yosemite	70,000	
Projects in Orange County		
(6) City of Huntington Beach, Central Park	53,000	
Projects in Placer County		
(7) County of Placer,		

Loomis Rec. Area 15,000

Provisions:

1. The grants payable from the State, Urban and Coastal Park Fund, appropriated in category (a) of this item, are for grants to counties, cities, and districts, as defined in Section 5096.123, pursuant to subdivision (a) of Section 5096.124, of the Public Resources Code and unless otherwise provided herein, funds appropriated for each of the local grant projects in this item are for acquisition, development, or restoration, or any combination thereof, and are available for expenditure during the 1983–84, 1984–85, and 1985–86 fiscal years.
2. The appropriation in category (a) (1) of this item, County of Del Norte, Pyke Field, is in augmentation of the appropriation in Item 3790-101-742(b) (3).

SEC. 3. Item 3790-496-742 is added to the Budget Act of 1983 (Chapter 324, Statutes of 1983), to read:

3790-496-742—Reversion, Department of Parks and Recreation. As of the effective date of this act, the unencumbered balance of the appropriation provided in Item 518(90), Budget Act of 1978, County of Merced, Lake Yosemite Park, shall revert to the unappropriated balance of the State, Urban and Coastal Park Fund.

SEC. 4. Section 8.20 is added to the Budget Act of 1983 (Chapter 324, Statutes of 1983), to read:

Sec. 8.20. In addition to the proviso in provision 13 of Item 3790-301-721 (ss) of the Budget Act of 1982 (Chapter 326, Statutes of 1982), as reappropriated by Item 3790-490-721 (13) of this act, the funds appropriated by Item 3790-301-721 (ss) of the Budget Act of 1982 may be allocated and encumbered on a matching basis in incremental amounts, as determined by the Department of Parks and Recreation in order to accomplish the project.

SEC. 5. Section 8.25 is added to the Budget Act of 1983 (Chapter 324, Statutes of 1983), to read:

Sec. 8.25. Notwithstanding any other provision of law, provision 2 of Item 3790-301-952 of this act is null and void and shall have no force or effect; and, instead, no funds appropriated in category (c) of Item 3790-301-952 of this act for acquisition of Rancho Raymundo shall be encumbered unless and until the Department of Parks and Recreation enters into an agreement with the Mid-Peninsula Open Space District for the district to assist in the patrol of Rancho Raymundo along Skyline Boulevard in exchange for the department's

assistance in the patrol of Whittemore Gulch Open Space Preserve adjacent to Purisima Road.

SEC. 6. The requirements specified in paragraphs (2), (3), and (4) of subdivision (a) of Section 5080.20 of the Public Resources Code shall not apply to concession contracts entered into concerning lands located within the Castaic Lake State Recreation Area and subject to an agreement entered into pursuant to Article 2 (commencing with Section 5080 30) Chapter 1.2 of Division 5 of the Public Resources Code.

This section shall remain in effect only until January 1, 1985, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 1985, deletes or extends that date.

SEC. 7. The sum of four hundred seventy-five thousand dollars ($475,000) is hereby appropriated from the Off-Highway Vehicle Fund to the Department of Parks and Recreation to be allocated as follows:

(a) Four hundred thirty-five thousand dollars ($435,000) for capital outlay projects at Hungry Valley SVRA.

(b) Forty thousand dollars ($40,000) for a grant to the County of Stanislaus for the Frank Raines off-highway vehicle facility in Stanislaus County, including, but not limited to, a feasibility study and other purposes relating to the acquisition of property as an addition to the facility.

SEC. 8. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that counties and cities may impose increased park and recreation user fees, and that urgently needed park and recreation projects may be commenced, at the earliest possible time, it is necessary that this act take effect immediately.

CHAPTER 1299

An act to add Section 1714.4 to the Civil Code, relating to liability.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 1714.4 is added to the Civil Code, to read:

1714.4. (a) In a products liability action, no firearm or ammunition shall be deemed defective in design on the basis that the benefits of the product do not outweigh the risk of injury posed by its potential to cause serious injury, damage, or death when discharged.

(b) For purposes of this section:

(1) The potential of a firearm or ammunition to cause serious injury, damage, or death when discharged does not make the product defective in design.

(2) Injuries or damages resulting from the discharge of a firearm or ammunition are not proximately caused by its potential to cause serious injury, damage, or death, but are proximately caused by the actual discharge of the product.

(c) This section shall not affect a products liability cause of action based upon the improper selection of design alternatives.

(d) This section is declaratory of existing law.

CHAPTER 1300

An act to amend Sections 2359, 2363, 3005.5, 7885, 8045, 8345, 8371, 8460, 8684, 8834, 15005, 15301, 15500, 15501, 15503, 15504, 15505, and 15508 of, to amend and repeal Section 8150.5 of, to amend the heading of Article 5 (commencing with Section 8680) of Chapter 3 of Part 3 of Division 6 of, to add Sections 8310, 12009, and 12010 to, to add and repeal Section 8834.5 of, to add and repeal Chapter 10 (commencing with Section 15900) of Division 12 of, to repeal Article 7 (commencing with Section 6570) of Chapter 5 of Part 1 of Division 6 of, and to repeal Section 10800 of, the Fish and Game Code, to amend Section 23.5 of the Food and Agricultural Code, and to amend Sections 833 and 30411 of the Public Resources Code, relating to fish and game.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983]

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

SECTION 1. Section 2359 of the Fish and Game Code is amended to read:

2359. Except as provided in Section 2363, no striped bass may be transported or carried out of or into this state, except striped bass taken from the Colorado River by sportfishing licensees to the extent and in the manner following:

(a) A resident of California, or the holder of a valid nonresident California sportfishing license, lawfully taking such fish on the waters or from the Arizona shore of the river may transport or carry such fish into California.

(b) A resident of Arizona, or the holder of a valid nonresident Arizona sportfishing license, lawfully taking such fish on the waters or from the California shore of the river may transport or carry such fish into Arizona.

SEC. 2. Section 2363 of the Fish and Game Code is amended to read:

2363. Striped bass, sturgeon, or shad or parts thereof legally taken

in another state, which permits the sale of that fish, may be imported into the state under regulations of the commission. Before the commission adopts any regulation pursuant to this section, a public hearing shall be held in the San Francisco or Sacramento area.

SEC. 3. Section 3005.5 of the Fish and Game Code is amended to read:

3005.5. It is unlawful to capture any game mammal, game bird, nongame bird, nongame mammal, or furbearer, or to possess or confine any live game mammal, game bird, nongame bird, nongame mammal, or furbearer taken from the wild, except as provided by this code or regulations made pursuant thereto. Any bird or mammal possessed or confined in violation of this section shall be seized by the department.

The commission may promulgate regulations permitting the temporary confinement of game mammals, game birds, nongame birds, nongame mammals, or furbearers for the purpose of treating the animals, if injured or diseased.

SEC. 4. Article 7 (commencing with Section 6570) of Chapter 5 of Part 1 of Division 6 of the Fish and Game Code is repealed.

SEC. 5. Section 7885 of the Fish and Game Code is amended to read:

7885. Registration number plates shall remain the property of the state, and shall not be intentionally defaced, mutilated, or destroyed. If any such registration number plate is accidentally defaced, mutilated, destroyed, or lost, the person owning or operating the vessel upon which the number plate has been placed shall immediately make application for and may obtain a duplicate, upon furnishing the department with the pertinent facts and a payment of twelve dollars and fifty cents ($12.50).

SEC. 6. Section 8045 of the Fish and Game Code is amended to read:

8045. Every person operating under a license issued pursuant to this article, in addition to the license fee, and a fisherman as described in Section 8015 who sells fish, mollusks, or crustaceans in any load or lot of 100 pounds or more to persons not licensed pursuant to Section 8040, shall pay a privilege tax for each pound, or fraction thereof, of fish purchased, received, or taken by him in accordance with the following schedule:

	Rate per pound
(a) All fish, irrespective of use, except as otherwise specified in this section	$0.0013
(b) Mollusks and crustaceans irrespective of use, excluding squid and crab	0.0125
(c) Crab and squid, irrespective of use	0.0019
(d) Salmon, except imported salmon offal, based on the weight in the round, irrespective of use	0.0500
(e) Sardines irrespective of use	0.0063

(f) The following fish when used for bait or human consumption, except canning 0.0125
(1) Albacore
(2) Barracuda
(3) Bluefin
(4) Broadbill swordfish
(5) Flying fish
(6) Frogs
(7) Giant sea bass
(8) Halibut
(9) Saltwater worms
(10) White sea bass
(11) Yellowtail

(g) Anchovy 0.0006
Provided, however, that when the price paid as stated on the fish receipt required in accordance with Section 8011 is in excess of fifty dollars ($50) per ton, the tax on anchovy shall be $0.0013 per pound.

All fish, except shrimp (Pandalus jordani) and crab (Cancer magister), imported into California from another state or country, and which are for human consumption and are not thereafter canned or cooked by a licensee, shall not be subject to such a privilege tax.

Shrimp (Pandalus jordani) and crab (Cancer magister) imported into California from another state or country, irrespective of use, shall not be subject to such privilege tax.

SEC. 7. Section 8150.5 of the Fish and Game Code is amended to read:

8150.5. Sardines may not be taken or possessed on any boat, barge, or vessel except pursuant to Section 8150.7.

(a) However, loads or lots of fish may contain 15 percent or less by weight of sardines taken incidentally to other fishing operations and which are mixed with the other fish in the load or lot.

(b) Sardines so incidentally taken may be possessed and used for any purpose. However, if 250 tons of sardines are incidentally taken and landed during any calendar year, any additional sardines may be taken and possessed for canning, reduction, or live bait purposes only. The department shall announce, in an expeditious manner likely to inform interested persons, of the time at which the 250 tons of sardines have been incidentally taken and landed.

(c) This section does not prohibit the possession and use of sardines imported into this state under a bill of lading identifying the country of origin.

(d) Imported sardines may be used for dead bait under such regulations as the commission may prescribe.

(e) Subdivision (a) is operative only when Section 8151 is not operative. Subdivisions (b), (c), and (d) are operative and apply regardless of whether subdivision (a) or Section 8151 is operative.

(f) The department shall report to the Legislature on the effect

of subdivision (b) on the sardine resource, any difficulties encountered by the department in the enforcement of subdivision (b), and whether authorization provided by subdivision (b) ought to be extended. If the department recommends that the authorization provided by subdivision (b) ought to be extended, the report shall also include a determination whether a different level of incidental take would be more appropriate and whether there should be a tolerance for individual fishing operations.

(g) This section shall remain in effect only until January 1, 1985, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1985, deletes or extends that date. If that date is not deleted or extended, then, on and after January 1, 1985, pursuant to Section 9611 of the Government Code, Section 8150.5 of the Fish and Game Code, as amended by Section 1 of Chapter 638 of the Statutes of 1973, shall have the same force and effect as if this temporary provision had not been enacted.

SEC. 8. Section 8310 is added to the Fish and Game Code, to read:

8310. It is unlawful for any person, including a broker who purchases abalone for the purpose of resale, to knowingly purchase any abalone which were taken illegally in California waters or abalone which were taken under the authority of a sport fishing license from California waters.

SEC. 9. Section 8345 of the Fish and Game Code is amended to read:

8345. It is unlawful for any person to sell or purchase any rock scallops (Hinnites multirugosus) or scallops (Pecten circularis), except that scallops cultivated pursuant to Division 12 (commencing with Section 15000) which may be sold or purchased subject to regulations of the commission.

SEC. 10. Section 8371 of the Fish and Game Code is amended to read:

8371. (a) Except as otherwise provided in subdivision (b), it is unlawful to buy or sell striped bass or sturgeon or parts thereof, or to possess striped bass or sturgeon or parts thereof in any place where fish are bought, possessed for sale, or sold, or where food is offered for sale, or in any truck or other conveyance operated by or for a place so selling or possessing fish.

(b) The provisions of subdivision (a) shall not apply to any of the following:

(1) Striped bass or sturgeon raised pursuant to Division 12 (commencing with Section 15000), which may be sold or purchased subject to regulations of the commission.

(2) Striped bass, sturgeon, or shad taken legally in another state which permits the sale of that fish and which fish are imported under Section 2363.

(c) A wholesale fish dealer's license shall be suspended for not less than seven nor more than 30 days for violation of subdivision (a).

SEC. 11. Section 8460 of the Fish and Game Code is amended to read:

8460. Any person engaged for profit in the taking, transporting, or selling of live fresh-water fish for bait shall first obtain from the department a live fresh-water bait fish license to possess the fish for those purposes. The commission may prescribe regulations governing these licenses.

A license shall be issued for a calendar year, or, if issued after the beginning of such term, for the remainder thereof, and may be revoked for a violation of the terms thereof.

Such a license is not required for the raising, possession, or sale of live fresh-water fish for bait under authority of Division 12 (commencing with Section 15000).

The provisions of this code on commercial fishing, packing, or processing licenses, on reports by persons engaged in the commercial fish industry, and on statements required by owners or operators of fishing boats, do not apply to the taking, transporting, or selling of live fresh-water fish for bait.

SEC. 12. The heading of Article 5 (commencing with Section 8680) of Chapter 3 of Part 3 of Division 6 of the Fish and Game Code is amended to read:

Article 5. Gill and Trammel Nets

SEC. 13. Section 8684 of the Fish and Game Code is amended to read:

8684. No incidental catch of swordfish or marlin is authorized by this article. Any swordfish or marlin caught incidentally by a gill or trammel net permittee operating under a permit issued pursuant to Section 8681 shall be delivered to the department.

A permit issued pursuant to Section 8681 shall be revoked for conviction of a violation of this section.

SEC. 14. Section 8834 of the Fish and Game Code is amended to read:

8834. It is unlawful to take or possess more than 500 pounds of crabs on any boat on which any type of trawl or drag net is carried or operated.

SEC. 15. Section 8834.5 is added to the Fish and Game Code, to read:

8834.5. South of a line extending due west from Point Reyes, it is unlawful for any person on a vessel on which any type of trawl or drag net is carried or operated to take or possess crabs of the species Cancer magister or to transfer crabs of this species to another vessel.

This section shall remain in effect only until January 1, 1986, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 1986, deletes or extends that date.

SEC. 16. Section 10800 of the Fish and Game Code is repealed.

SEC. 17. Section 12009 is added to the Fish and Game Code, to read:

12009. Notwithstanding Section 12000, the maximum punishment for a violation of any provision of Article 7 (commencing

with Section 8300) of Chapter 2 of Part 3 of Division 6 or any regulation adopted thereunder, or of Section 7121 involving abalone, is a fine of five thousand dollars ($5,000), imprisonment in the county jail for a period not to exceed one year, the revocation of any wholesale fish dealers license issued pursuant to Section 8040, or any combination of these penalties.

SEC. 18. Section 12010 is added to the Fish and Game Code, to read:

12010. Notwithstanding Section 12000, the maximum penalty for a violation of Section 15202 or 15509 is a fine of two thousand dollars ($2,000) or imprisonment in the county jail for one year, or both the fine and imprisonment.

SEC. 19. Section 15005 of the Fish and Game Code is amended to read:

15005. (a) When necessary for the protection of native wildlife, the commission may regulate the transportation, purchase, possession, and sale of specific aquaculture products as provided for in this section.

(b) The commission may determine that aquaculture products shall be accompanied by a document containing any of the following information:

(1) The name, address, and registration number of the aquaculture producer.

(2) The species.

(3) The weight, volume or count within the container.

(4) The date of the shipment.

(5) The name and address of the intended receiver.

(c) The commission may require that certain aquaculture products shall be additionally identified as being aquaculture produced, except for the following:

(1) Trout.

(2) Catfish.

(3) Kelp and aquatic plants.

(4) Frogs and amphibia.

(5) All bivalve mollusks (except little neck clams).

(6) All members of the family Centrarchidae.

(7) Crayfish.

(8) Sea urchins.

(9) Shrimp and fresh water prawns.

(10) Crab.

SEC. 20. Section 15301 of the Fish and Game Code is amended to read:

15301. (a) The department may sell wild aquatic plants or animals, except rare, endangered, or fully protected species, for aquaculture use at a price approximating the administrative cost to the department for the collection or sale of the plants or animals. The commission shall set this price.

(b) Aquatic plants and animals may be collected by a registered aquaculturist only with the written approval of the department. The

department may specify the time, place, and manner of collection and may collect a fee from the aquaculturist in an amount sufficient to cover the cost of processing the approval.

SEC. 21. Section 15500 of the Fish and Game Code is amended to read:

15500. Upon the recommendation of the department and after consultation with the Aquaculture Disease Committee created pursuant to this chapter, the commission shall compile a list of diseases and parasites and the aquatic plants and animals they are known to infect or parasitize. All government activities relating to aquaculture disease detection, control, and eradication that do not affect human health and safety are the responsibility of the department.

SEC. 22. Section 15501 of the Fish and Game Code is amended to read:

15501. The department may enter, under an inspection warrant issued pursuant to Title 5 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure, at any time, any car, warehouse, depot, ship, or growing area where any aquatic plants or animals are held or stored, for the purpose of making an examination to ascertain whether the aquatic plants or animals are infected, diseased, or parasitized.

SEC. 23. Section 15503 of the Fish and Game Code is amended to read:

15503. The Aquaculture Disease Committee may recommend regulations to the commission designed to safeguard wild and cultured organisms from the list of harmful organisms compiled pursuant to Section 15500.

SEC. 24. Section 15504 of the Fish and Game Code is amended to read:

15504. Regulations recommended under Section 15503 and adopted by the commission may include all of the following:

(a) Routine monitoring procedures.

(b) Standardized diagnostic procedures.

(c) A requirement for the confirmation of the diagnosis by the state through at least one other independent and qualified laboratory.

(d) Criteria for ordering quarantine, condemnation, or destruction.

(e) A stated maximum time period between diagnosis and destruction.

(f) Methods to be employed in animal destruction and facility cleanup.

(g) Procedures for determining fair and rapid compensation.

(h) Any other related procedures that the commission may determine are necessary.

SEC. 25. Section 15505 of the Fish and Game Code is amended to read:

15505. If any of the diseases or parasites listed pursuant to Section

15500 is found to exist which the director, in consultation with the Aquaculture Disease Committee and consistent with the regulations adopted under Section 15504, deems to be detrimental to the aquaculture industry or to wild stocks of aquatic plants and animals, the director may do any of the following:

(a) Establish the area to be quarantined and list the aquatic plants and animals affected by it.

(b) Post notices describing, as nearly as possible, the boundaries of an area within which specific disease or parasite infestations are found. Notices posted pursuant to this subdivision shall be published once a week for four successive weeks in a newspaper of general circulation in the county in which the infected area is located. If there is no newspaper of general circulation in that county, then the notice shall be published in a newspaper of general circulation published in an adjoining county.

(c) Hold and impound diseased or parasitized plants and animals.

(d) Forbid. prevent, or restrict the movement of all plants and animals subject to the disease or parasite from or into the area, or from place to place within it, during the existence of the quarantine.

(e) Order the destruction and disposal of diseased or parasitized plants and animals consistent with Section 15504.

SEC. 26. Section 15508 of the Fish and Game Code is amended to read:

15508. Reports of those diseases and parasites compiled pursuant to Section 15500 shall be immediately forwarded by the director to the Aquaculture Disease Committee and shall be promptly investigated by the department.

SEC. 27. Chapter 10 (commencing with Section 15900) is added to Division 12 of the Fish and Game Code, to read:

CHAPTER 10. OCEAN RANCHING

15900. A registered aquaculturist may be granted a permit by the commission, under any terms and conditions that the commission may prescribe, to release and capture anadromous fish in state waters which have been reared in an aquaculture facility.

15901. Prior to the issuance of any permit by the commission, a public hearing shall be held in the county or counties affected. Notice of the hearing shall be published at least once, and at least 10 days prior to the hearing, in a newspaper of general circulation in each of the counties in which the hearing is to be held, or if no such newspaper is published in that county or counties then in such a newspaper in an adjoining county. The hearing shall be conducted by the commission, a member of the commission designated by it, or the director if requested to do so by the commission.

15902. No permit shall be issued which may tend to deplete the natural runs of anadromous fish, result in waste or deterioration of fish, or when the proposed operation is located on a stream or river below a state or federal fish hatchery or egg-taking station.

15903. All fish released into the wild under authority of this chapter during the time they are in the wild are the property of the state and may be taken under the authority of a sport or commercial fishing license.

15904. Requirements for the screening of outlets may be waived by the commission. The waiver shall only be during the period fish are being released and captured under a permit issued under authority of this chapter. The condition of the waiver shall be described in any permit issued.

15905. Any permit granted by the commission pursuant to this chapter shall contain the following conditions:

(a) The department shall determine under what conditions and the number of fish to be permitted access to the stream above the hatchery site.

(b) If after a hearing the commission finds that the operation described in the permit and conducted pursuant to this chapter is not in the best public interest, the commission may alter the conditions of the permit to mitigate the adverse effects, or may cause an orderly termination of the operation under the permit. Proceedings to cause the alteration or termination shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the commission shall have all the powers granted therein. An orderly termination shall not exceed a three-year period and shall culminate in the revocation of the permit in its entirety. During this period, the permittee may continue to examine and take specified anadromous fish reared according to the provisions of the permit, but may not release additional fish.

(c) If the commission finds that the operation has caused deterioration of the natural run of anadromous fish in the waters covered by the permit, it may require the permittee to return the fishery to the same condition as it was prior to issuance of the permit. If the permittee fails to take appropriate action, the commission may direct the department to take the action, and the permittee shall bear any cost incurred by the department.

(d) Prior to release into state waters, the fish may be examined by the department to determine that they are not diseased or infected with any disease which, in the opinion of the department, may be detrimental to the state fishery resources.

(e) The permittee has the right to divert all fish returning to the stream to an inspection area as authorized by the commission, and may examine all fish for the purpose of identifying those fish reared and released by the permittee.

(f) No unmarked fish may be transported from the trapping facility other than to be returned to state waters.

15906. The provisions of this chapter shall be applicable only to the waters of Davenport Landing Creek which are within the County of Santa Cruz and located near the town of Davenport Landing. Any activities conducted pursuant to this chapter are

conducted as a pilot program for the release and capture of anadromous fish reared in a registered aquaculture facility.

15907. This chapter shall remain in effect only until January 1, 1986, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 1986, deletes or extends that date.

15908. The department shall from time to time require reports from a permittee operating pursuant to this chapter on the permittee's operations, and the department shall then make findings regarding the operations available to the commission.

SEC. 28. Section 23.5 of the Food and Agricultural Code is amended to read:

23.5. The commercial production of fish propagated and raised by a registered aquaculturist pursuant to Section 15101 of the Fish and Game Code in the state is a growing industry and provides a healthful and nutritious food product, and, as a commercial operation, utilizes management, land, water, and feed as do other agricultural enterprises. Therefore, the commercial production of that fish and marine life shall be considered a branch of the agricultural industry of the state for the purpose of any law which provides for the benefit or protection of the agricultural industry of the state except those laws relating to plant quarantine or pest control.

SEC. 29. Section 833 of the Public Resources Code is amended to read:

833. The department shall be the lead agency for purposes of the California Environmental Quality Act (commencing with Section 21000 of the Public Resources Code) for any project involving the issuance of a permit required pursuant to Division 12 (commencing with Section 15000) of the Fish and Game Code.

SEC. 30. Section 30411 of the Public Resources Code is amended to read:

30411. (a) The Department of Fish and Game and the Fish and Game Commission are the principal state agencies responsible for the establishment and control of wildlife and fishery management programs and neither the commission nor any regional commission shall establish or impose any controls with respect thereto that duplicate or exceed regulatory controls established by these agencies pursuant to specific statutory requirements or authorization.

(b) The Department of Fish and Game, in consultation with the commission and the Department of Boating and Waterways, may study degraded wetlands and identify those which can most feasibly be restored in conjunction with development of a boating facility as provided in subdivision (a) of Section 30233. Any such study shall include consideration of all of the following:

(1) Whether the wetland is so severely degraded and its natural processes so substantially impaired that it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities.

(2) Whether a substantial portion of the degraded wetland, but in no event less than 75 percent, can be restored and maintained as a highly productive wetland in conjunction with a boating facilities project.

(3) Whether restoration of the wetland's natural values, including its biological productivity and wildlife habitat features, can most feasibly be achieved and maintained in conjunction with a boating facility or whether there are other feasible ways to achieve such values.

(c) The Legislature finds and declares that salt water or brackish water aquaculture is a coastal-dependent use which should be encouraged to augment food supplies and to further the policies set forth in Chapter 4 (commencing with Section 825) of Division 1. The Department of Fish and Game may identify coastal sites it deems appropriate for aquaculture facilities. If the department identifies these sites, it shall transmit information identifying the sites to the commission and the relevant local government agency. The commission, and where appropriate, local governments shall, consistent with the coastal planning requirements of this division, provide for as many coastal sites identified by the Department of Fish and Game for any uses that are consistent with the policies of Chapter 3 (commencing with Section 30200) of this division.

(d) Any agency of the state owning or managing land in the coastal zone for public purposes shall be an active participant in the selection of suitable sites for aquaculture facilities and shall make the land available for use in aquaculture when feasible and consistent with other policies of this division and other provision of law.

SEC. 31. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.

CHAPTER 1301

An act to amend Sections 9961 and 9962 of, to amend and renumber Sections 9989 and 9989.5 of, to add Section 7011.7 to, and Article 5.5 (commencing with Section 9989) to Chapter 21 of Division 3 of, and to repeal Section 9984.5 of, the Business and Professions Code, and to amend and supplement the Budget Act of 1983 by amending Item 1230-020-735 and the provisions applicable thereto, relating to business and professions, and making an appropriation therefor.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

I am reducing the appropriation contained in Section 8 of Assembly Bill No. 2159 from $15,785,000 to $15,126,000 and Schedule (a) from $15,828,000 to $15,169,000.

The Contractor's State License Board has not demonstrated the need for additional staff. The Board's needs will be considered in the 1984–85 budget development process. Staffing levels will be adjusted to be developed pursuant to supplemental language to the 1983–84 Budget Act.

With this reduction, I approve Assembly Bill No. 2159.

GEORGE DEUKMEJIAN, Governor

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

SECTION 1. Section 7011.7 is added to the Business and Professions Code, to read:

7011.7. The registrar shall review and investigate all complaints filed in a manner consistent with this chapter and the Budget Act. It is the intent of the Legislature that all complaints be reviewed and investigated as promptly as resources allow.

SEC. 2. Section 9961 of the Business and Professions Code is amended to read:

9961. Surety bonds issued pursuant to this article or Section 9989.3 shall be payable to the people of the State of California, and shall be conditioned that the person applying for the license will comply with this chapter and will pay all sums due any individual or group of individuals when the person or his or her representative or agent has received such sums, and will pay all damages occasioned to any person by reason of misstatement, misrepresentation, fraud, deceit, or any unlawful acts or omissions of the licensed employment agency, or its agents or employees, while acting within the scope of their employment.

SEC. 3. Section 9962 of the Business and Professions Code is amended to read:

9962. If any licensee fails to file a new bond with the bureau within 30 days after notice of cancellation by the surety of the bond required under Sections 9960 and 9989.3, the license issued to the principal under the bond is suspended until such time as a new surety bond is filed. A person whose license is suspended pursuant to this section shall not carry on the business of an employment agency, a prepaid computer employment agency, or a job listing service during the period of such suspension.

SEC. 4. Section 9984.5 of the Business and Professions Code is repealed.

SEC. 5. Section 9989 of the Business and Professions Code is amended and renumbered to read:

9988.2. All employment provided by any employment agency to any applicant from whom a fee is to be received shall be considered permanent only if lasting beyond 90 days.

SEC. 6. Section 9989.5 of the Business and Professions Code is amended and renumbered to read:

9988.4. Within two weeks of employing any employee whose duties include interviewing or referring applicants to prospective employers or soliciting job orders from employers, every

employment agency shall provide an in-service training program, approved by the bureau, to such employees. The training program shall include, but not be limited to, instruction on the requirements of this chapter, the Fair Employment Practices Act, applicable provisions of the Labor Code, and accepted and ethical practice and techniques of personnel placement.

SEC. 7. Article 5.5 (commencing with Section 9989) is added to Chapter 21 of Division 3 of the Business and Professions Code, to read:

Article 5.5. Prepaid Computer Employment Agencies and Job Listing Services

9989. The definitions used in this section shall govern the construction and terms as used in this article:

(a) "Prepaid computer employment agency" means the business of matching job seekers with employment opportunities, pursuant to an arrangement under which the job seekers are required to pay a fee in advance of, or contemporaneously with, the supplying of the matchings, but which does not otherwise involve services for the procurement of employment by the person conducting the service.

(b) "Job listing service" means any person who by advertisment or otherwise offers to provide applicants for employment lists of employers or lists of job openings or like publications, or prepares resumes or lists of applicants for distribution to potential employers, where a fee or valuable consideration is exacted or attempted to be collected, either directly or indirectly.

(c) "Licensee" means a person licensed to conduct a prepaid computer employment agency or a job listing service.

(d) "Job seeker" means a person seeking employment.

(e) "Location" means the place where a prepaid computer employment agency or job listing service business is conducted.

(f) "Designated agent" means the person who is in charge of the business of a prepaid computer employment agency or a job listing service at a given location.

9989.1 This article shall not apply to a labor organization as defined in Section 1117 of the Labor Code, a newspaper of general circulation, bona fide newsletter, magazine, trade or professional journal, or other publication of general circulation, the main purpose of which is dissemination of news, reports, trade or professional information, or information not intended to assist in locating, securing, or procuring employment or assignments for others.

9989.2. It is unlawful for any person to engage in the business of a prepaid computer employment agency or a job listing service unless licensed in that capacity. Applicants for the license shall comply with the provisions of Articles 3 (commencing with Section 9940) and 5 (commencing with Section 9970) of this chapter.

9989.3. Each licensee shall provide to the bureau, and at all times maintain in force, a bond in the amount of ten thousand dollars ($10,000) for each location. The bond may be in the form of a corporate surety bond and may be utilized by the chief for the

benefit of any unsatisfied judgment creditor in an action pursuant to subdivision (e) of Section 9989.5. The bond is subject to the provisions of Sections 9961 and 9962.

9989.4. (a) Prior to the acceptance of a fee from a job seeker, a licensee shall provide the job seeker with a written contract which shall include at least the following:

(1) The name of the licensee and the addresses and telephone numbers of the principal office or location of the licensee providing the listing to the job seeker.

(2) Acknowledgement of receipt of the fee, including the amount.

(3) A description of the service to be performed by the licensee, including significant conditions, restrictions, and limitations where applicable.

(4) The job seeker's specifications for the employment opportunity, including, but not limited to, the following:

(A) Type of job.

(B) Interests of job seeker.

(C) Qualifications of job seeker.

(D) Salary, benefits, and other conditions of employment.

(E) Location of job.

(5) The contract expiration date, which shall not be later than 90 days from the date of execution of the contract.

(6) A clause setting forth the right to a full refund of the fee paid in advance as provided in Section 9989.5.

(7) The signature of the licensee or of the designated agent or employee acting on behalf of the licensee.

(8) There shall be printed on the face of the contract in type no smaller than 10-point bold the following: "This agency is licensed by the Bureau of Employment Agencies of the State of California, 1333 Howe Avenue, Sacramento, California. Inquiries concerning your contract may be sent to this address." At the bottom of the contract there shall appear a notice to the effect that the contract is the property of the applicant and shall not be taken from the applicant.

(b) Every contract or receipt shall be made and numbered consecutively in original and duplicate, both to be signed by the applicant and the person acting for the employment agency. The original shall be given to the applicant and the duplicate shall be kept on file at the agency.

(c) The form of contract proposed to be used by a licensee to effect compliance with this section shall be filed with the bureau prior to use. Any modification of a form previously filed with the bureau, including a change in the name or business address of the licensee, shall also be filed prior to use.

(d) If a job seeker first contacts the licensee by telephone from a distance of more than 50 miles from the nearest office of the service the licensee shall not be in violation of this section by taking credit card information from the job seeker by telephone for the purpose of charging the credit card account of the job seeker for the fee, if the licensee furnishes the information specified in subdivision (a) during the same telephone conversation and mails written confirmation and a list of available employment opportunities to the

job seeker no later than the next business day.

9989.5. (a) (1) A licensee shall refund in full the advance fee paid by a job seeker if the licensee does not, within five days after execution of the contract, supply at least three employment opportunities then available to the job seeker and meeting the specifications of the contract.

(2) A licensee will be deemed to have supplied information meeting the specifications of the job seeker if the information supplied meets the contract specifications with reference to: (i) type of job; (ii) interests of job seeker; (iii) qualifications of job seeker; (iv) salary, benefits, and other conditions of employment; (v) location of job; and (vi) any other specification expressly set forth in the contract. A demand for the return of the fee shall be made by or on behalf of the job seeker within 10 days following the expiration of the five-day period referred to above by delivery or by mailing by registered or certified mail to the address of a location set forth in the contract.

(b) A licensee shall refund any amount over and above the sum of a twenty-five dollar ($25) service charge to the job seeker if the job seeker does not obtain a job, provided that the job seeker demands a return of that part of the fee within 10 days after the expiration of the contract.

(c) If employment, once obtained, lasts less than 90 days, the fee paid shall be refunded as specified in Section 9974.3.

(d) Each contract shall contain provisions which shall read as follows unless different language shall have been approved in writing by the department prior to use:

RIGHT TO REFUND
(Full caps, bold face or italicize)

"If, within five days after payment of an advance fee, the licensee has not supplied the job seeker with at least three available employment opportunities meeting the specifications of the contract as to (i) type of job; (ii) interests of job seeker; (iii) qualifications of job seeker; (iv) salary, benefits, and other conditions of employment; (v) location of job; and (vi) any other specification expressly set forth in the contract, the full amount of the fee paid shall be refunded to the job seeker upon presentation of evidence of such failure within 10 days after the expiration of the five-day period.

"If the job seeker does not obtain a job through the services of the licensee, any amount paid in fees in excess of a twenty-five dollar ($25) service charge shall be refunded to the job seeker, upon demand by the job seeker made within 10 days of the expiration of this contract."

(e) If a demand for refund is denied by a licensee, and if the denial is found to have been in bad faith, a court of appropriate jurisdiction, as well as a small claims court, shall be empowered to award damages to the plaintiff in an amount not to exceed two hundred dollars

($200) in addition to actual damages sustained by the plaintiff. If the licensee refuses or is unable to pay the damages awarded by the court, the award may be satisfied out of the security required under Section 9989.3.

9989.6. In addition to the acts or omissions which constitute grounds for disciplinary action pursuant to Section 9993, it shall be a violation of this article for any licensee or any employee or agent of a licensee to do the following:

(a) Make, or cause to be made, any false, misleading, or deceptive advertisements or representations concerning the services that the licensee will provide to job seekers.

(b) Refer a job to a job seeker knowing or having reason to know that:

(1) The job does not exist or the job seeker is not qualified for the job.

(2) The job has been described or advertised by or on behalf of the licensee in a false, misleading, or deceptive manner.

(3) The licensee has not confirmed the availability of the job during the four-day period immediately preceding dissemination of the listing information. However, it shall not be a violation to refer a job to a job seeker during a period of from five to seven days after the most recent confirmation of the availability of the job if the licensee has made a good faith effort to confirm availability within the stated four-day period, and if the most recent date of confirmation of availability is set forth in the referral.

(4) The licensee has not obtained written or oral permission to list the job from the employer or an authorized agent of the employer.

9989.7. In addition to the authority conferred upon the bureau pursuant to Article 6 (commencing with Section 9990) of this chapter, the chief may suspend or revoke the license of a prepaid computer employment agency or a job listing service for either of the following:

(a) A violation of a provision of this article by a licensee or by an employee or agent, including a designated agent, of the licensee.

(b) A conviction of a licensee, or of an officer, director, or owner of 25 percent or more of the shares of a corporate licensee for a crime which is substantially related to the qualifications, functions, or duties of a prepaid computer employment agency or job listing service licensee.

9989.8. Whenever any person has engaged or threatens to engage in any acts or practices which constitute, or will constitute a violation of a provision of the article, the superior court of the county in which the acts or practices have taken place, or are about to take place, on complaint of the chief, the attorney general, district attorney, or city attorney, may enjoin such acts or practices by appropriate order. The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure, except that no undertaking shall be required.

9989.9. Any person, including an officer, director, or employee of

a corporation who willfully violates any provision of this article is guilty of a misdemeanor and shall be punished pursuant to the provisions of Section 9994.

SEC. 8. Item 1230-020-735 of the Budget Act of 1983, and the provisions applicable thereto, is amended to read:

1230-020-735—For support of Contractors' State License Board, payable from the Contractors' License Fund 15,785,000

Schedule:

(a) 30-Contractors' State License Board 15,828,000

(b) Reimbursements ..... -43,000

Provisions:

1. No funds appropriated by this item may be expended for any services of the Attorney General which are in excess of the amount budgeted therefor sooner than 30 days after written notification by the Department of Finance to the Chairperson of the Joint Legislative Budget Committee.
2. In expending funds appropriated pursuant to this item, the board shall give first priority to completing complaint mediation and investigation of all consumer complaints. The board shall give second priority to investigation of applications at the level of 3 percent of all applications received by the board.

   No other complaints and investigations shall be processed if either of the following exists:

   (a) Consumer complaints are not mediated or investigated within a median time of 90 days of receipt by the board.

   (b) Applications investigations are not completed within 90 days of receipt by the board.
3. The board shall report quarterely to the Joint Legislative Budget Committee all of the following:

   (a) The number of consumer complaints and application investigations.

   (b) The median time expended by the board in closing consumer complaints.

   (c) The number of application investigations that exceed 90 days.

   (d) If other complaints have been mediated or investigated during the quarter and consumer complaints or application investigations are not being completed within 90

days, the board shall report the type and number of those cases, as well as the reasons for their priority treatment.

4. For purposes of Provisions 2 and 3:
   (a) "Consumer complaint" means a complaint which is directly received from the public.
   (b) "Completed mediation" means a complaint that is closed, or referred to formal investigation, by a consumer services representative.
   (c) "Completed investigation" means a complaint that has been investigated by a deputy registrar and is closed or awaiting formal disciplinary action.

SEC. 9. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.

SEC. 10. Sections 1 and 8 of this act shall become operative on January 1, 1984, and Sections 2, 3, 4, 5, 6, 7, and 9 of this act shall become operative on April 1, 1984.

CHAPTER 1302

An act to amend Sections 11001, 35031, 41851, 41972, 42238, 42238.2, 42238.4, 42238.5, 42238.9, 42281, 42282, 42290, 44490, 44491, 44492, 44494, 44496, 44885.5, 44948.3, 44955, 44956, 44957, 45023.4, 45256.5, 46145, 46202, 48900.5, 48911, 48914, 52048, 52616, 52858, 54029, and 54060 of, and to add Sections 33050.3, 33052.5, 41851.5, 42242, and 44497 to, the Education Code, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

SEC. 28—I eliminate this section. This section would appropriate $500,000 from the General Fund to the State Department of Mental Health for allocation to primary prevention projects. I believe that these projects should be supported from the funding sources prescribed within Chapters 1280 and 1289 of the Statutes of 1982. In the event that sufficient funds do not become available pursuant to these provisions, then the counties may support these projects from the State appropriation made available to counties for local mental health services.

SEC. 29—I eliminate this section. This section would appropriate $720,000 from the General Fund for allocation in augmentation of apportionments to county offices of education during the 1983–84 fiscal year. This appropriation would have continued, in the 1983–84 fiscal year, a one-time augmentation provided by Section 247 of Chapter

327, Statutes of 1982, for the 1982–83 fiscal year. I believe that the appropriations in the Budget Act of 1983 and Chapter 498, Statutes of 1983 provide sufficient funding for county office of education programs.

SEC. 35—This section would appropriate $2,200,000 from the Special Account for Capital Outlay for the acquisition of relocatable child care facilities and the renovation of existing facilities. I am reducing this appropriation from $2,200,000 to $1,100,000. The appropriation remaining after my reduction, together with the funds provided in the 1983 Budget Act, will serve to maintain the quality of the programs at existing levels.

With the above changes, I hereby approve Assembly Bill No. 70.

GEORGE DEUKMEJIAN, Governor

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

SECTION 1. Section 11001 of the Education Code is amended to read:

11001. The Chancellor of the California State University shall establish an advisory committee to assist the chancellor in selecting proposals to be funded and developing criteria for project evaluation. The committee shall be composed of the following members:

(a) Two certificated secondary school teachers, appointed by the Superintendent of Public Instruction.

(b) Two certificated secondary school counselors, appointed by the Superintendent of Public Instruction.

(c) One community college faculty member, appointed by the Chancellor of the California Community Colleges.

(d) One director of a regional consortium participating in the California Student Opportunity Access Program established pursuant to Chapter 113 of the Statutes of 1978, appointed by the Student Aid Commission.

(e) One faculty member of the California State University, appointed by the Academic Senate of the California State University.

(f) One faculty member of the University of California, appointed by the Academic Senate of the University of California.

(g) One specialist in equal opportunities in postsecondary education, appointed by the Director of the California Postsecondary Education Commission.

In the event that any appointing power designated pursuant to this section fails to appoint a member, the Chancellor of the California State University shall make the appointment according to the criteria specified in the appropriate subdivision.

33050.3. Notwithstanding Section 33050, the State Board of Education is authorized to waive the provisions of subdivision (a) of Section 46202 only during the 1983–84 fiscal year, and only if the State Board of Education finds that the district requesting the waiver demonstrates that it meets the following criteria:

(1) The district has experienced an unanticipated growth in number of pupils over the 1982–83 fiscal year.

(2) There exists an overcrowding of pupils with no reasonable alternative to house pupils without initiating the use of double sessions. Reasonable alternatives to house pupils shall include, but

need not be limited to, the use of facilities in adjacent districts, the use of facilities of a county superintendent of schools, the use of facilities of other public agencies, the lease of portable facilities, or the expanded use of double sessions if the district already has double sessions in other schools prior to the increase in the number of pupils.

SEC. 1.5. Section 33052.5 is added to the Education Code, to read:

33052.5. For purposes of this article, "school district" shall include county offices of education.

SEC. 1.7. Section 35031 of the Education Code is amended to read:

35031. Any district superintendent of schools, or deputy, associate, or assistant superintendent of schools, may be elected for a term of four years. The governing board of any school district, with the consent of the employee concerned, may at any time terminate, effective on the next succeeding first day of July, the term of employment of, and any contract of employment with, the superintendent of schools, or any associate, deputy, or assistant superintendent of schools of the district, and reelect or reemploy the employee, on such terms and conditions as may be mutually agreed upon by the board and the employee, for a new term to commence on the effective date of the termination of the existing term of employment. In the event the governing board of a school district determines the superintendent of schools of the district, or deputy, associate, or assistant superintendent of schools, or employee in the senior management of the classified service is not to be reelected or reemployed as such upon the expiration of his or her term, he or she shall be given written notice thereof by the governing board at least 45 days in advance of the expiration of his or her term. In the event the governing board of a district fails to reelect or reemploy the superintendent of schools of the district, or deputy, associate, or assistant superintendent of schools, or employee in the senior management of the classified service as such and the written notice herein provided for has not been given, the he or she shall be deemed reelected for a term of the same length as the one completed, and under the same terms and conditions and with the same compensation.

The notice requirements of Section 44951 shall not apply to persons to whom this section applies.

SEC. 2. Section 41851 of the Education Code is amended to read:

41851. (a) For the 1984–85 fiscal year and each fiscal year thereafter, from Section A of the State School Fund the Superintendent of Public Instruction shall apportion to each school district and county superintendent of schools which received a transportation allowance in the prior fiscal year, an amount computed pursuant to this section. School districts and county superintendents of schools which provide transportation services by means of a joint powers agreement, a cooperative pupil transportation program, or a consortium shall receive transportation allowances pursuant to this section.

(b) Any school district or county superintendent which certifies to the Superintendent of Public Instruction at the end a fiscal year that its approved transportation expenditures for that fiscal year were at least 95 percent of the state allowance received in that fiscal year for the prior fiscal year's approved transportation costs shall receive a transportation allowance for the current fiscal year equal to the amount of the transportation allowance received in the prior fiscal year, increased by the amount provided in the Budget Act.

(c) Any school district or county superintendent which certifies at the end of a fiscal year that its approved transportation expenditures for fiscal year were less than 95 percent of the state allowance received in that fiscal year for the prior fiscal year's approved transportation costs shall certify the applicable percentage and shall receive a transportation allowance for the current fiscal year equal to the certified percentage of the transportation allowance received in that fiscal year plus 5 percent, the sum increased by the amount provided in the Budget Act.

(d) For the purpose of receiving an allowance pursuant to this section, a school district, county superintendent, or joint powers agency which transfers any part of its pupil transportation service to another entity shall report to the Superintendent of Public Instruction the proportion of the costs in the fiscal year prior to the transfer that are attributable to the part of the service transferred. In determining the allowance for the fiscal years subsequent to the transfer, the Superintendent of Public Instruction, prior to the application of any cost-of-living adjustment, shall reduce the allowance of the entity transferring the service in proportion to the costs reported, and, if appropriate, increase or establish the allowance of the entity assuming the transferred service by that amount.

(e) For the 1984–85 fiscal year, for purposes of this section, the state allowance received in the prior fiscal year shall not include corrections to expenditure reports submitted by a district or a county superintendent of schools for the 1981–82, 1982–83, or 1983–84 fiscal year which would result in an increase in the state allocation to that district or county superintendent of schools pursuant to this section, and which are received by the State Department of Education subsequent to the effective date of this article.

SEC. 3. Section 41851.5 is added to the Education Code, to read:

41851.5. As used in this article, "approved transportation costs" includes replacement of buses used by a school district or county superintendent of schools to provide transportation services.

SEC. 4. Section 41972 of the Education Code is amended to read:

41972. Balances available from any appropriation for apportionments from Section A of the State School Fund and funds provided by subdivision (c) of Section 14002, or provided by any other provision of law in lieu of those sections, shall be used to restore any reductions in apportionments to elementary, high, and unified school districts and county superintendents of schools as follows:

(a) First, for revenue limits computed pursuant to Sections 2558 and 42238.

(b) Second, for special education computed pursuant to Sections 56713.

(c) Third, for home-to-school transportation computed pursuant to Section 41856 or, commencing with the 1984–85 fiscal year, Article 10 (commencing with Section 41850) of Chapter 8.

(d) Fourth, for special transportation computed pursuant to Section 56770.

Any remaining balances otherwise transferable under subdivisions (b) and (c) of Section 14002 shall revert to the General Fund.

SEC. 5. Section 42238 of the Education Code, as added by Section 19.4 of Chapter 498 of the Statutes of 1983, is amended to read:

42238. (a) For the 1983–84 fiscal year, the county superintendent of schools shall determine a revenue limit for each school district in the county pursuant to this section.

(b) The county superintendent shall add the following amounts:

(1) The base revenue limit per unit of average daily attendance for the 1982–83 fiscal year determined pursuant to Item 6100-101-001 of the Budget Act of 1982.

(2) The inflation adjustment specified in Section 42238.1.

(3) The funding per unit of average daily attendance received in the 1982–83 fiscal year pursuant to Section 247 of Chapter 327 of the Statutes of 1982.

(4) The minimum revenue guarantee adjustment, if any, specified in Section 42238.2.

(5) The equalization adjustment specified in Section 42238.4.

(c) The base revenue limit per unit of average daily attendance shall be the lesser of the following amounts:

(1) The amount determined in subdivision (b).

(2) 1.15 times the sum of the amounts in paragraphs (1), (3), and (4) of subdivision (b).

(d) Except for districts subject to subdivision (e), the base revenue limit determined pursuant to subdivision (c) shall be multiplied by the district average daily attendance determined pursuant to Section 42238.5.

(e) For districts which for which the number of units of average daily attendance determined pursuant to Section 42238.5 is greater for the 1983–84 fiscal year than for the 1982–83 fiscal year, compute the following amount, in lieu of the amount computed pursuant to subdivision (d):

(1) Multiply the base revenue limit computed pursuant to subdivision (c) by the average daily attendance computed pursuant to Section 42238.5 for the 1982–83 fiscal year.

(2) Multiply the lesser of the amount in subdivision (c) or 1.05 times the statewide average base revenue limit per unit of average daily attendance for districts of similar type for the 1983–84 fiscal year by the difference between the average daily attendance computed pursuant to Section 42238.5 for the 1983–84 and 1982–83 fiscal years.

(3) Add the amounts in subdivisions (1) and (2).

(f) For districts electing to compute units of average daily attendance pursuant to paragraph (3) of subdivision (a) of Section 42238.5, the amount computed pursuant to Article 4 (commencing with Section 42280) shall be added to the amount computed in subdivision (d) or (e), as appropriate.

(g) In no event shall the amount computed pursuant to subdivision (d) or (e), as appropriate, plus the amount computed pursuant to subdivision (f), be less than the sum of the 1982–83 fiscal year base revenue limit per unit of average daily attendance multiplied by the 1982–83 fiscal year regular average daily attendance, plus any amount computed pursuant to Section 42239 as it read in the 1982–83 fiscal year, plus any amount computed in the 1982–83 fiscal year for the minimum revenue guarantee, plus the amount received pursuant to Section 247 of Chapter 327 of the Statutes of 1982. The 1982–83 fiscal year amounts shall be adjusted proportionately for any change in average daily attendance due to district reorganization, transfers of responsibility for maintaining a junior high program for 7th and 8th grade pupils, changes in state laws regarding attendance reporting, or changes in interdistrict attendance agreements.

(h) Paragraph (4) of subdivision (b) and subdivision (g) shall be funded only from moneys scheduled for those purposes in subdivision (a) of Section 41301.3.

(i) For the 1983–84 fiscal year, the county superintendent shall reduce the total revenue limit computed in this section by the amount of the decreased contributions to the Public Employees' Retirement System resulting from enactment of Chapter 330 of the Statutes of 1982. For the 1983–84 fiscal year, the decreased contributions shall be based on the 1982–83 salaries of employees participating in the Public Employees' Retirement System during the 1982–83 fiscal year. For the purposes of this subdivision, no reduction shall be made for decreased contributions for positions that, during the 1982–83 fiscal year, were:

(1) Supported totally by federal funds which were subject to supplanting restrictions.

(2) Supported by funds received pursuant to Section 42243.6.

(3) Supported, to the extent of employer contributions not exceeding twenty-five thousand dollars ($25,000) for any single educational agency, from a revenue source determined on the basis of equity to be properly excludable from the provisions of this section by the Superintendent of Public Instruction with the approval of the Director of Finance.

(j) The Superintendent of Public Instruction shall apportion to each school district the amount determined in this section less the sum of:

(1) The district's property tax revenue received pursuant to Chapter 3.5 (commencing with Section 75) and Chapter 6 (commencing with Section 95) of Part 0.5 of the Revenue and Taxation Code.

(2) The amount, if any, received pursuant to Part 18.5 (commencing with Section 38101) of the Revenue and Taxation Code.

(3) The amount, if any, received pursuant to Chapter 3 (commencing with Section 16140) of the Government Code.

(4) Prior years taxes and taxes on the unsecured roll.

(5) Fifty percent of the amount received pursuant to Section 41603.

(6) The amount of motor vehicle license fees distributed pursuant to Section 11003.4 of the Revenue and Taxation Code.

(k) This section shall remain in effect only until July 1, 1984, and as of that date is repealed, unless a later enacted statute, which is chaptered before July 1, 1984, deletes or extends that date.

SEC. 6. Section 42238.2 of the Education Code is amended to read:

42238.2. (a) Each district which received a minimum revenue guarantee pursuant to Item 6100-101-001 of the Budget Act of 1982 shall receive a minimum revenue guarantee adjustment computed in the following manner.

(b) Divide the amount calculated in the 1982–83 fiscal year on account of the minimum revenue guarantee pursuant to Provision 6 of Item 6100-101-001 of the Budget Act of 1982, less the difference between the amount of funds to which the district would be entitled and the amount of funds claimed by the district pursuant to Section 42239 as it read in the 1982–83 fiscal year, by the district's 1982–83 fiscal year revenue limit average daily attendance.

(c) From the amount computed pursuant to subdivision (b) subtract any amount received pursuant to Section 42238.4.

(d) The minimum guarantee adjustment shall be the greater of the amount in subdivision (c) or zero.

(e) This section shall remain in effect only until July 1, 1984, and as of that date is repealed, unless a later enacted statute, which is chaptered before July 1, 1984, deletes or extends that date.

SEC. 7. Section 42238.4 of the Education Code, as added by Section 19.7 of Chapter 498 of the Statutes of 1983, is amended to read:

42238.4. (a) For the 1983–84 fiscal year, the county superintendent shall compute an equalization adjustment for each district in the following manner:

(b) From the statewide average base revenue limit per unit of average daily attendance for the 1982–83 fiscal year for districts of the appropriate size and type listed in subdivision (e) subtract fifty dollars ($50).

(c) From the amount in subdivision (b) subtract the district's 1982–83 base revenue limit per unit of average daily attendance.

(d) The equalization adjustment shall be the greater of the amount in subdivision (c) or zero.

(e) For purposes of subdivision (b), districts shall be grouped according to size, based on the 1982–83 second principal apportionment average daily attendance, and type as follows:

District	ADA
Elementary	less than 101
Elementary	more than 100
High School	less than 301
High School	more than 300
Unified	less than 1,501
Unified	more than 1,500

(f) This section shall remain in effect only until July 1, 1984, and as of that date is repealed, unless a later enacted statute which is chaptered before July 1, 1984, deletes or extends that date.

SEC. 8. Section 42238.5 of the Education Code is amended to read:

42238.5. (a) For purposes of Section 42238, the fiscal year average daily attendance shall be computed pursuant to paragraph (1), (2), or (3).

(1) The second principal apportionment regular average daily attendance for either the current or prior fiscal year, whichever is greater. However, prior fiscal year average daily attendance shall be adjusted for any loss or gain of average daily attendance due to a reorganization or transfer of territory.

(2) For the 1983–84 fiscal year, the amount prescribed by paragraph (1) plus 25 percent of the loss in average daily attendance between fiscal years 1981–82 and 1982–83 as computed in the 1982–83 fiscal year pursuant to Section 42239, as it read in the 1982–83 fiscal year, minus any increase in average daily attendance between the 1982–83 and 1983–84 fiscal years, but not less than zero.

(3) Any school district which elects to receive funding pursuant to Article 4 (commencing with Section 42280) shall compute its units of average daily attendance for purposes of Section 42238 by subtracting the amount determined in subparagraph (B) from the amount determined in subparagraph (A).

(A) The units of average daily attendance computed pursuant to either paragraph (1) or (2).

(B) The units of average daily attendance resulting from pupils attending schools funded pursuant to Article 4 (commencing with Section 42280).

(b) For purposes of this article, regular average daily attendance shall be the base revenue limit average daily attendance, excluding summer school average daily attendance, but including the fiscal year units of average daily attendance for pupils concurrently enrolled in adult programs and classes.

SEC. 8.3. Section 42238.9 of the Education Code is amended to read:

42238.9. The amount per unit of average daily attendance subtracted pursuant to Section 56712 for revenue limits for pupils in

special classes and centers shall be the district's total revenue limit for the current fiscal year computed pursuant to Section 42238, including funds received pursuant to Article 4 (commencing with Section 42280), but excluding funds received pursuant to Sections 42238.7, 42238.8, and 45023.4, divided by the district's current year average daily attendance pursuant to Section 42238.5.

SEC. 8.5. Section 42242 is added to the Education Code, to read:

42242. The Superintendent of Public Instruction shall determine at the time of each apportionment the proposed receipts and expenditures of funds under the provisions of Public Law 94-142. In the event that the proposed distribution of funds results in funds not being expended, those funds are hereby reappropriated for reallocation for local entitlements for special education.

This section shall become operative July 1, 1984.

SEC. 9. Section 42281 of the Education Code is amended to read:

42281. For each elementary school district which maintains only one school with a second principal apportionment average daily attendance of less than 101, the county superintendent shall make one of the following computations, whichever provides the lesser amount:

(1) For each small school which has an average daily attendance during the fiscal year of less than 26, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school at least one teacher was hired full time, the county superintendent shall compute for the district fifty-two thousand nine hundred twenty-five dollars ($52,925).

(2) For each small school which has an average daily attendance during the fiscal year of 26 or more and less than 51, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, the county superintendent shall compute for the district one hundred five thousand eight hundred fifty dollars ($105,850).

(3) For each small school which has an average daily attendance during the fiscal year of 51 or more but less than 76, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, the county superintendent shall compute for the district one hundred fifty-eight thousand seven hundred seventy-five dollars ($158,775).

(4) For each small school which has an average daily attendance during the fiscal year of 76 or more and less than 101, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, the county superintendent shall compute for the district two hundred eleven thousand seven hundred dollars ($211,700).

SEC. 10. Section 42282 of the Education Code is amended to read:

42282. For each district with fewer than 2,501 units of second

principal apportionment average daily attendance, on account of each necessary small school, the county superintendent shall make the following computations:

(1) For each necessary small school which has an average daily attendance during the fiscal year of less than 26, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school at least one teacher was hired full time, the county superintendent shall compute for the district fifty-two thousand nine hundred twenty-five dollars ($52,925).

(2) For each necessary small school which has an average daily attendance during the fiscal year of 26 or more and less than 51, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, the county superintendent shall compute for the district one hundred five thousand eight hundred fifty dollars ($105,850).

(3) For each necessary small school which has an average daily attendance during the fiscal year of 51 or more but less than 76, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, the county superintendent shall compute for the district one hundred fifty-eight thousand seven hundred seventy-five dollars ($158,775).

(4) For each necessary small school which has an average daily attendance during the fiscal year of 76 or more and less than 101, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, the county superintendent shall compute for the district two hundred eleven thousand seven hundred dollars ($211,700).

SEC. 11. Section 42290 of the Education Code is amended to read:

42290. Any school district with an average daily attendance of less than 2,501 in any fiscal year may, in that fiscal year, apply to the State Department of Education for an apportionment for transportation equipment, as specified in Section 42291. The State Department of Education shall adopt regulations regarding district applications pursuant to this section.

SEC. 12. Section 44490 of the Education Code is amended to read:

44490. The Legislature recognizes that the classroom is the center of teaching reward and satisfaction. However, the Legislature finds that many potentially effective teachers leave the teaching profession because it does not offer them support, assistance, recognition, and career opportunities that they need.

It is the intent of the Legislature in the enactment of this article to encourage teachers currently employed in the public school system to continue to pursue excellence within their profession, to provide incentives to teachers of demonstrated ability and expertise to remain in the public school system, and to restore the teaching profession to its position of primary importance within the structure

of the state educational system.

SEC. 12.5. Section 44491 of the Education Code is amended to read:

44491. (a) There is hereby established the California Mentor Teacher Program. On or before November 15, 1983, the Superintendent of Public Instruction shall recommend to the State Board of Education, and on or before January 1, 1984, the State Board of Education shall prescribe, rules and regulations establishing guidelines for the implementation of mentor teacher programs in school districts.

(b) The adopted rules and regulations shall specify that persons seeking classification as a mentor teacher shall meet each of the following qualifications:

(1) Is a credentialed classroom teacher with permanent status or, in any school district with an average daily attendance of less than 250 pupils, is a credentialed classroom teacher who has completed at least three consecutive school years as an employee of the district in a position requiring certification qualifications.

(2) Has substantial recent experience in classroom instruction.

(3) Has demonstrated exemplary teaching ability, as indicated by, among other things, effective communication skills, subject matter knowledge, and mastery of a range of teaching strategies necessary to meet the needs of pupils in different contexts.

SEC. 12.7. Section 44492 of the Education Code is amended to read:

44492. (a) Out of the funds available for that purpose, the superintendent shall allocate funds to participating school districts for the purpose of providing stipends to mentor teachers. The superintendent shall annually make a determination as to the number of certificated classroom teachers employed by each participating school district and may authorize the district to designate as mentors up to 5 percent of the total number of certificated classroom teachers in the district. Teachers designated as mentors shall meet the minimum qualifications established by subdivision (b) of Section 44491.

The superintendent shall increase any fraction resulting from the 5 percent calculation to the next integer, and shall allow districts which have at least five certificated employees to designate one classroom teacher as a mentor teacher.

(b) Each district which has less than five certificated employees shall be eligible for an amount of funding in the mentor teacher program computed by multiplying the number of certificated employees in the district by 5 percent, and multiplying the result by four thousand dollars ($4,000).

(c) Out of the funds available for that purpose, the superintendent shall, in the exercise of his or her discretion, allocate to participating school districts an amount which the superintendent determines to be sufficient to reimburse the necessary costs of participation in the mentor program. For purposes of this

subdivision, necessary costs of participation in the mentor program shall include, but not be limited to, the costs of employing a substitute classroom teacher for a mentor teacher who uses all or part of his or her stipend for professional growth or release time, and costs of administering the program.

If at the end of any fiscal year, an amount of the funds available for purposes of this subdivision remains unallocated, the Superintendent of Public Instruction shall utilize the unallocated amount for purposes of subdivision (a) or (b) in the next fiscal year.

(d) Any school district may apply for and receive funds for the purposes of this program.

SEC. 13. Section 44494 of the Education Code is amended to read:

44494. (a) On or before September 1 of each year, participating school districts which receive funding pursuant to subdivision (a) of Section 44492 shall allocate no less than four thousand dollars ($4,000) to provide each qualified mentor with an additional annual stipend over and above the regular salary to which he or she is entitled. The amount of the annual stipend shall be four thousand dollars ($4,000) for a full school year of service as a mentor, or a pro rata share of that amount for less than a full school year of service as a mentor, except that participating school districts which receive funding pursuant to subdivision (b) of Section 44492 shall allocate the full amount so received to provide a qualified mentor with an additional annual stipend over and above the regular salary to which he or she is entitled. This stipend shall not be counted as salary or wages for purposes of calculating employer contribution rates or employee benefits under the State Teachers' Retirement System.

(b) A mentor may propose that the district allocate all or part of the stipend for his or her professional growth or release time.

(c) The governing board may designate certificated employees as mentor teachers pursuant to Section 44491 and pay these persons the additional annual stipend authorized under subdivision (a) for a period not to exceed three consecutive school years. Upon completing three years as a mentor teacher, an individual may be reviewed and renominated.

(d) The subject of participation by a school district or an individual certificated classroom teacher in a mentor teacher program shall not be included within the scope of representation in collective bargaining among a public school employer and eligible employee organizations.

SEC. 14. Section 44496 of the Education Code is amended to read:

44496. (a) Persons designated as mentor teachers pursuant to this article shall be assigned duties and responsibilities in accordance with the following:

(1) The primary function of a mentor teacher shall be to provide assistance and guidance to new teachers. A mentor teacher may also provide assistance and guidance to more experienced teachers.

(2) Mentor teachers may provide staff development for teachers, and may develop special curriculum.

(3) A mentor teacher shall not participate in the evaluation of teachers.

(b) No administrative or pupil personnel services credential shall be required of any mentor teacher. Each mentor teacher shall spend, on the average, not less than 60 percent of his or her time in the direct instruction of pupils.

(c) For the purposes of determining administrator-teacher ratios, mentors shall be considered full-time teachers.

SEC. 15. Section 44497 is added to the Education Code, to read:

44497. For purposes of this article, "school district" shall include county offices of education.

SEC. 15.1. Section 44885.5 of the Education Code is amended to read:

44885.5. (a) Any school district maintaining grades 9 to 12, inclusive, or maintaining grades 7 and 8 in a departmentalized junior high school, shall classify as a probationary employee of the district any person while that person is employed as a teacher trainee pursuant to Section 44830.3 and any person who has completed two years of service in the district as a teacher trainee pursuant to Section 44830.3 and is reelected for the next succeeding school year to a position requiring certification qualifications.

The governing board may dismiss or suspend employees classified as probationary employees pursuant to this subdivision in accordance with the procedures specified in Section 44948.3.

(b) Every employee of a school district maintaining grades 9 to 12, inclusive, or maintaining grade 7 and 8 in a departmentalized junior high school, who, after having been employed as a probationary employee by the district for three complete consecutive school years, composed of two years of service as a teacher trainee pursuant to Section 44830.3 and one year in a position requiring certification qualifications, is reelected for the next succeeding year to a position requiring certification qualifications shall, at the commencement of the succeeding school year, be classified as and become a permanent employee of the district.

The governing board shall notify the employee, on or before March 15 of the employee's third complete consecutive school year of employment by the district as a probationary employee, of the decision to reelect or not reelect the employee for the next succeeding school year to such a position. In the event the governing board does not give notice pursuant to this section on or before March 15, the employee shall be deemed reelected for the next succeeding school year.

SEC. 15.2. Section 44955 of the Education Code is amended to read:

44955. (a) No permanent employee shall be deprived of his or her position for causes other than those specified in Sections 44907 and 44923, and Sections 44932 to 44947, inclusive, and no probationary employee shall be deprived of his or her position for cause other than as specified in Sections 44948 to 44949, inclusive.

(b) Whenever in any school year the average daily attendance in all of the schools of a district for the first six months in which school is in session shall have declined below the corresponding period of either of the previous two school years, whenever the governing board determines that attendance in a district will decline in the following year as a result of the termination of an interdistrict tuition agreement as defined in Section 46304, whenever a particular kind of service is to be reduced or discontinued not later than the beginning of the following school year, or whenever the amendment of state law requires the modification of curriculum, and when in the opinion of the governing board of the district it shall have become necessary by reason of any of these conditions to decrease the number of permanent employees in the district, the governing board may terminate the services of not more than a corresponding percentage of the certificated employees of the district, permanent as well as probationary, at the close of the school year. Except as otherwise provided by statute, the services of no permanent employee may be terminated under the provisions of this section while any probationary employee, or any other employee with less seniority, is retained to render a service which said permanent employee is certificated and competent to render.

In computing a decline in average daily attendance for purposes of this section for a newly formed or reorganized school district, each school of the district shall be deemed to have been a school of the newly formed or reorganized district for both of the two previous school years.

As between employees who first rendered paid service to the district on the same date, the governing board shall determine the order of termination solely on the basis of needs of the district and the students thereof. Upon the request of any employee whose order of termination is so determined, the governing board shall furnish in writing no later than five days prior to the commencement of the hearing held in accordance with Section 44949, a statement of the specific criteria used in determining the order of termination and the application of the criteria in ranking each employee relative to the other employees in the group. This requirement that the governing board provide, on request, a written statement of reasons for determining the order of termination shall not be interpreted to give affected employees any legal right or interest that would not exist without such a requirement.

(c) Notice of such termination of services shall be given before the 15th of May in the manner prescribed in Section 44949, and services of such employees shall be terminated in the inverse of the order in which they were employed, as determined by the board in accordance with the provisions of Sections 44844 and 44845. In the event that a permanent or probationary employee is not given the notices and a right to a hearing as provided for in Section 44949, he or she shall be deemed reemployed for the ensuing school year.

The governing board shall make assignments and reassignments in

such a manner that employees shall be retained to render any service which their seniority and qualifications entitle them to render. However, prior to assigning or reassigning any certificated employee to teach a subject which he or she has not previously taught, and for which he or she does not have a teaching credential or which is not within the employee's major area of postsecondary study or the equivalent thereof, the governing board shall require the employee to pass a subject matter competency test in the appropriate subject.

(d) Notwithstanding subdivision (b), a school district may deviate from terminating a certificated employee in order of seniority for either of the following reasons:

(1) The district demonstrates a specific need for personnel to teach a specific course or course of study, or to provide services authorized by a services credential with a specialization in either pupil personnel services or health for a school nurse, and that the certificated employee has special training and experience necessary to teach that course or course of study or to provide those services, which others with more seniority do not possess.

(2) For purposes of maintaining or achieving compliance with constitutional requirements related to equal protection of the laws.

SEC. 15.3. Section 44956 of the Education Code is amended to read:

44956. (a) Any permanent employee whose services have been terminated as provided in Section 44955 shall have the following rights:

(1) For the period of 39 months from the date of such termination, any employee who in the meantime has not attained the age of 65 years shall have the preferred right to reappointment, in the order of original employment as determined by the board in accordance with the provisions of Sections 44831 to 44855, inclusive, if the number of employees is increased or the discontinued service is reestablished, with no requirements that were not imposed upon other employees who continued in service; provided, that no probationary or other employee with less seniority shall be employed to render a service which said employee is certificated and competent to render. However, prior to reappointing any employee to teach a subject which he or she has not previously taught, and for which he or she does not have a teaching credential or which is not within the employee's major area of postsecondary study or the equivalent thereof, the governing board shall require the employee to pass a subject matter competency test in the appropriate subject.

(2) The aforesaid right to reappointment may be waived by the employee, without prejudice, for not more than one school year, unless the board extends this right, but such waiver shall not deprive the employee of his right to subsequent offers of reappointment.

(3) Notwithstanding paragraph (1), a school district may deviate from reappointing a certificated employee in order of seniority for either of the following reasons:

(A) The district demonstrates a specific need for personnel to

teach a specific course or course of study, or to provide services authorized by a services credential with a specialization in either pupil personnel services or health for a school nurse, and that the employee has special training and experience necessary to teach that course or course of study, or to provide those services, which others with more seniority do not possess.

(B) For purposes of maintaining or achieving compliance with constitutional requirements related to equal protection of the laws.

(4) As to any such employee who is reappointed, the period of his absence shall be treated as a leave of absence and shall not be considered as a break in the continuity of his service, he shall retain the classification and order of employment he had when his services were terminated, and credit for prior service under any state or district retirement system shall not be affected by such termination, but the period of his absence shall not count as a part of the service required for retirement.

(5) During the period of his preferred right to reappointment, any such employee shall, in the order of original employment, be offered prior opportunity for substitute service during the absence of any other employee who has been granted a leave of absence or who is temporarily absent from duty; provided, that his services may be terminated upon the return to duty of said other employee and that said substitute service shall not affect the retention of his previous classification and rights. If, in any school year the employee serves as a substitute in any position requiring certification for any 21 days or more within a period of 60 schooldays, the compensation the employee receives for substitute service in that 60-day period, including his or her first 20 days of substitute service, shall be not less than the amount the employee would receive if he or she were being reappointed.

(6) During the period of the employee's preferred right to reappointment, the governing board of the district, if it is also the governing board of one or more other districts, may assign him to service, which he is certificated and competent to render, in said other district or districts; provided, that the compensation he receives therefor may in the discretion of the governing board be the same as he would have received had he been serving in the district from which his services were terminated, that his service in the said other district or districts shall be counted toward the period required for both state and local retirement, as defined by Section 22102, as though rendered in the district from which his services were terminated, and that no permanent employee in said other district or districts shall be displaced by him.

It is the intent of this subsection that the employees of a school district, the governing board of which is also the governing board of one or more other school districts, shall not be at a disadvantage as compared with employees of a unified school district.

(7) At any time prior to the completion of one year after his return to service, he may continue or make up, with interest, his own

contributions to any state or district retirement system, for the period of his absence, but it shall not be obligatory on state or district to match such contributions.

(8) Should he become disabled or reach retirement age at any time before his return to service, he shall receive, in any state or district retirement system of which he was a member, all benefits to which he would have been entitled had such event occurred at the time of his termination of service, plus any benefits he may have qualified for thereafter, as though still employed.

SEC. 15.5. Section 44957 of the Education Code is amended to read:

44957. Any probationary employee whose services have been terminated as provided in Section 44955 shall have the following rights:

(a) For the period of 24 months from the date of such termination, any employee who in the meantime has not attained the age of 65 years shall have the preferred right to reappointment, subject to the prior rights to reappointment by all permanent employees as set forth in Section 44956, in the order of original employment as determined by the governing board in accordance with the provisions of Sections 44831 to 44855, inclusive, if the number of employees is increased or the discontinued service is reestablished, with no requirements that were not imposed upon other employees who continued in service. Except as otherwise provided, no probationary or temporary employee with less seniority shall be employed to render a service which such employee is certificated and competent to render and provided that such an employee shall be given a priority over employees whose right to a position is derived pursuant to Section 44918. However, prior to reappointing any employee to teach a subject which he or she has not previously taught, and for which he or she does not have a teaching credential or which is not within the employee's major area of postsecondary study or the equivalent thereof, the governing board shall require the employee to pass a subject matter competency test in the appropriate subject.

(b) Notwithstanding subdivision (a), a school district may deviate from reappointing a probationary employee in order of seniority for either of the following reasons:

(1) The district demonstrates a specific need for personnel to teach a specific course or course of study, or to provide services authorized by a services credential with a specialization in either pupil personnel services or health for a school nurse, and that the employee has special training and experience necessary to teach that course or course of study, or to provide those services, which others with more seniority do not possess.

(2) For purposes of maintaining or achieving compliance with constitutional requirements related to equal protection of the laws.

(c) As to any such employee who is reappointed, the period of his absence shall be treated as a leave of absence and shall not be

considered as a break in the continuity of his service, he shall retain the classification and order of employment he had when his services were terminated, and credit for prior service under any state or district retirement system shall not be affected by such termination; provided, however, that the period of his absence shall not be counted as a part of the service required for attaining permanent status in the district or, except as provided in subdivision (e), for retirement purposes.

(d) During the period of his preferred right to reappointment, any such employee shall, in the order of original employment, and subject to the rights of permanent employees as set forth in Section 44956, be offered prior opportunity for substitute service during the absence of any other employee who has been granted leave of absence or who is temporarily absent from duty; provided, that his services may be terminated upon a return to duty of such other employee, that such substitute service shall not affect the retention of his previous classification and rights, and that such an employee shall be given a priority over employees whose right to a substitute position is derived pursuant to Section 44918.

(e) At any time prior to the completion of one year after his return to service, an employee reappointed under the provisions of this section may elect to continue or to reinstate his membership and interest in any state or district retirement system and to receive retirement benefits as if no absence from service had occurred. In the event of such election the employee shall pay into the retirement system the amount of his share of contribution and the district's share of contribution attributable to the period of absence and the amount of any contributions withdrawn, plus interest.

SEC. 15.15. Section 44948.3 of the Education Code is amended to read:

44948.3. (a) First and second year probationary employees may be dismissed during the school year for unsatisfactory performance determined pursuant to Article 11 (commencing with Section 44660) of Chapter 3, or for cause pursuant to Section 44932. Any dismissal pursuant to this section shall be in accordance with all of the following procedures.

(1) The superintendent of the school district or the superintendent's designee shall give 30 days' prior written notice of dismissal, not later than March 15 in the case of second year probationary employees. The notice shall include a statement of the reasons for the dismissal and notice of the opportunity to appeal. In the event of a dismissal for unsatisfactory performance, a copy of the evaluation conducted pursuant to Section 44664 shall accompany the written notice.

(2) The employee shall have 15 days from receipt of the notice of dismissal to submit to the governing board a written request for a hearing. The governing board may establish procedures for the appointment of a hearing officer to conduct the hearing and submit a recommended decision to the board. The failure of an employee

to request a hearing within 15 days from receipt of a dismissal notice shall constitute a waiver of the right to a hearing.

(b) The governing board, pursuant to this section, may suspend a probationary employee for a specified period of time without pay as an alternative to dismissal.

(c) This section shall apply only to probationary employees whose probationary period commenced during the 1983–84 fiscal year or any fiscal year thereafter, and shall not apply to probationary employees in a school district having an average daily attendance of less than 250 pupils.

SEC. 16. Section 45023.4 of the Education Code is amended to read:

45023.4. (a) The governing board of any school district, county superintendent of schools, or county board of education may, in the 1983–84, 1984–85, or 1985–86 fiscal years, increase, for teachers meeting the requirements specified herein, the salary on its adopted certificated employee salary schedule for the then current fiscal year as specified in subdivision (b). For purposes of this section, any teacher for whom the governing board, county superintendent of schools, or county board of education may increase salaries shall meet all of the following criteria:

(1) Hold a valid California teaching credential.

(2) Possess a baccalaureate or higher degree.

(3) Receive a salary paid from the general fund of the district or county office.

(b) The governing board, county superintendent of schools, or county board of education shall perform the following computations:

(1) The governing board, county superintendent of schools, or county board of education shall compute an amount equal to the amount of the lowest salary on the salary schedule for a certificated employee meeting the criteria in subdivision (a) for the then current fiscal year multiplied by 1.10 but not to exceed an annual salary of eighteen thousand dollars ($18,000) in the 1983–84 school year, adjusted in the 1984–85 and 1985–86 school years by the same percentage increase made in base revenue limits for a unified school district with over 1,500 units of average daily attendance.

(2) The governing board, county superintendent of schools, or county board of education shall increase to the amount computed in paragraph (1) the salary of any certificated employee meeting the criteria in subdivision (a) whose salary on the salary schedule for the then current fiscal year is less than the amount computed in paragraph (1).

(c) Each school district or county office of education which increases salaries pursuant to subdivision (b) shall receive reimbursement for the cost of the increase as follows:

(1) Total the salaries of all certificated employees receiving increased salaries pursuant to subdivision (b).

(2) Total all salaries, based on the salary schedule for the then current fiscal year, of all certificated employees receiving increased

salaries pursuant to subdivision (b).

(3) Subtract the amount in paragraph (2) from the amount in paragraph (1).

(4) Multiply the amount in paragraph (3) by the district's State Teachers' Retirement System contribution rate.

(5) In the then current fiscal year, the revenue limit of the district calculated pursuant to Section 42238 or of the county office of education calculated pursuant to Section 2550 may be increased by an amount equal to the sum of the amounts in paragraphs (3) and (4).

(6) For the 1984–85, 1985–86, and 1986–87 fiscal years, any school district or county office of education which received reimbursement pursuant to this subdivision in the prior fiscal year shall divide the amount added to revenue limit pursuant to paragraph (5) by the regular average daily attendance for the prior fiscal year, and shall add that quotient to the base revenue limit per unit of average daily attendance for the then current fiscal year.

(d) A school district or county office of education shall receive reimbursement pursuant to subdivision (c) only if it certifies to the Superintendent of Public Instruction that the increase of teachers' salaries pursuant to this section does not require the district or county office of education to increase the salaries of other teachers.

SEC. 16.5. Section 45256.5 of the Education Code is amended to read:

45256.5. (a) The governing board of a school district may adopt a resolution designating certain positions as senior management of the classified service. Notwithstanding the provisions of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, the decision of the governing board shall not be deemed a matter subject to negotiation, but shall be subject to review by the Public Employment Relations Board.

(b) Employees whose positions are designated as senior management of the classified service shall be a part of the classified service and shall be afforded all rights, benefits, and burdens of other classified employees, except that they shall be exempt from all provisions relating to obtaining permanent status in a senior management position.

(c) Positions in the senior management of the classified service shall be filled from an unranked list of eligible persons who have demonstrated managerial ability who have been found qualified for the positions as specified by the district superintendent and determined by the personnel commission.

(d) Notice of reassignment or dismissal from a position in the senior management of the classified service shall be provided in accordance with the provisions of Section 35031.

SEC. 17. Section 46145 of the Education Code is amended to read:

46145. Commencing with the first semester or quarter which begins after January 1, 1984, pupils in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of

courses per quarter. In the 1983–84 fiscal year, during any semester or quarter commencing prior to January 1, 1984, if any pupil in grade 12 is enrolled in less than five courses during the semester or the equivalent number of courses during the quarter, the average daily attendance allowed for that pupil's attendance shall bear the same proportion to one day of attendance as the number of courses in which the pupil is enrolled bears to five or the equivalent number for the quarter system.

However, this requirement shall not apply to pupils enrolled in regional occupational programs, regional occupational centers, courses at accredited postsecondary educational institutions, independent study, special education programs where the pupil's individualized education program establishes a different number of courses, continuation education classes, work experience education programs approved under the provisions of Article 7 (commencing with Section 51760) of Chapter 5 of Part 28, or any other course of study authorized by the governing board which is equivalent to the approved high school course of study.

SEC. 19. Section 46202 of the Education Code is amended to read:

46202. (a) Except as otherwise provided in this section, in any fiscal year, if the governing board of a school district offers less instructional time than the amount of instructional time fixed for the 1982–83 fiscal year, the Superintendent of Public Instruction shall in that fiscal year reduce that district's apportionment by the average percentage increase in the base revenue limit for districts of similar type and size, multiplied by the district's units of average daily attendance.

(b) The provisions of subdivision (a) shall not apply to the Pleasant Valley Elementary School District in Ventura County for grades 7 and 8 prior to November 4, 1983.

(c) Any school district which operated an experimental kindergarten program during the 1982–83 school year, and which terminated the experimental program at the end of the 1982–83 school year, may offer in the 1983–84 fiscal year the amount of kindergarten instructional time it offered prior to operating the experimental program without incurring the penalty specified in subdivision (a).

(d) The provisions of subdivision (a) shall not apply to the Glendora Unified School District during the first semester of the 1983–84 fiscal year for grades 6 to 8, inclusive, at the middle school level, and for grades 9 to 12, inclusive, at the high school level. The Glendora Unified School District shall reinstate the sixth period, which shall be equivalent to at least 50 minutes of instruction, effective the start of the second semester of the 1983–84 fiscal year.

(e) The provisions of subdivision (a) shall not apply to the Windsor Elementary School District in Sonoma County during the 1983–84 fiscal year for grade 3 if the district maintains at least 255 minutes of instructional time per day at that grade level.

(f) The provisions of subdivision (a) shall not apply during the

first semester of the 1983–84 school year to any school district which had a collective bargaining agreement signed prior to July 28, 1983, which requires a reduction in instructional time, provided the school district meets the 1982–83 school year level of instructional time for the second semester of the 1983–84 school year.

SEC. 20. Section 48900.5 of the Education Code is amended to read:

48900.5. Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.

SEC. 21. Section 48911 of the Education Code is amended to read:

48911. (a) The principal of the school, the principal's designee, or the superintendent of schools may suspend a pupil from the school for any of the reasons enumerated in Section 48900, and pursuant to Section 48900.5, for no more than five consecutive schooldays.

(b) Suspension by the principal, the principal's designee, or the superintendent shall be preceded by an informal conference which is conducted by the principal or the principal's designee or the superintendent of schools between the pupil and, whenever practicable, the teacher or supervisor or school employee who referred the pupil to the principal or the principal's designee or the superintendent of schools. At the conference the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

(c) A principal or the principal's designee or the superintendent of schools may suspend a pupil without affording the pupil an opportunity for a conference only if the principal or the principal's designee or the superintendent of schools determines that an emergency situation exists. "Emergency situation," as used in this article, means a situation determined by the principal, the principal's designee, or the superintendent to constitute a clear and present danger to the lives, safety, or health of pupils or school personnel. If a pupil is suspended without a conference prior to suspension, both the parent and the pupil shall be notified of the pupil's right to a conference, and the pupil's right to return to school for the purpose of a conference. The conference shall be held within two schooldays, unless the pupil waives this right or is physically unable to attend for any reason, including, but not limited to, incarceration or hospitalization. The conference shall then be held as soon as the pupil is physically able to return to school for the conference.

(d) At the time of suspension, a school employee shall make a reasonable effort to contact the pupil's parent or guardian in person or by telephone. Within one schoolday of the beginning of a suspension, a school employee shall mail a notice to the parent or

guardian of the suspended pupil. The notice shall be, insofar as is practicable, in the primary language of the pupil's parent or guardian. The notice shall contain each of the following:

(1) A statement of the facts leading to the decision to suspend.

(2) The date and time when the pupil will be allowed to return to school.

(3) A statement of the right of the pupil or parent to request a meeting with the superintendent or the superintendent's designee pursuant to Section 48914.

(4) A statement of the parent's or the pupil's right to have access to the pupil's records as provided by Section 49069.

(5) A request that the parent or guardian attend a conference with school officials regarding the pupil's behavior, including notice that state law requires parents or guardians to respond to such request without delay.

(e) A school employee shall report the suspension of the pupil, including the cause therefor, to the governing board of the school district or to the district superintendent in accordance with the regulations of the governing board.

(f) The parent or guardian of any pupil shall respond without delay to any request from school officials to attend a conference regarding his or her child's behavior.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at such conference.

(g) In a case where expulsion from any school or suspension for the balance of the semester from continuation school is being processed by the governing board, the school district superintendent or other person designated by the superintendent in writing may extend the suspension until such time as the governing board has rendered a decision in the action. However, an extension may be granted only if the superintendent or the superintendent's designee has determined, following a meeting in which the pupil and the pupil's parent or guardian are invited to participate, that the presence of the pupil at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. If the pupil or the pupil's parent or guardian has requested a meeting to challenge the original suspension pursuant to Section 48914, the purpose of the meeting shall be to decide upon the extension of the suspension order under this section and may be held in conjunction with the initial meeting on the merits of the suspension.

(h) For the purposes of this section, a "principal's designee" is an administrator, or if there is not a second administrator at the school site, a certificated person, specifically designated by the principal, in writing, to assist with disciplinary procedures. The principal may designate only one such person at a time as the principal's primary designee for the school year. The name of such person shall be on file

in the principal's office.

A second person meeting the requirements of this subdivision may be designated by the principal, in writing, to act for the purposes of this article when both the principal and the principal's primary designee are absent from the school site. The name of the person shall be on file in the principal's office.

SEC. 22. Section 48914 of the Education Code is amended to read:

48914. (a) If suspension is ordered by a principal or a principal's designee pursuant to Section 48911, the pupil or the pupil's parent or guardian shall have the right to request a meeting with the superintendent or the superintendent's designee. The meeting shall be held within three schooldays of the time the request is received by the superintendent or the superintendent's designee.

(b) The superintendent or the superintendent's designee shall determine if there was sufficient evidence to find that the alleged violation occurred and whether the penalty imposed was appropriate for the violation.

(c) The pupil may designate a representative to be present with him or her at the meeting. The representative shall not act as legal counsel for the pupil, unless legal counsel is present to represent the school district.

At the meeting:

(1) The superintendent or the superintendent's designee shall review all written documents in the case.

(2) The pupil and the pupil's parent, guardian, and representative may address the superintendent or the superintendent's designee on the evidence and the appropriateness of the penalty.

(d) The superintendent or the superintendent's designee shall render a decision within two schooldays. If the superintendent or the superintendent's designee determines that no violation occurred, all records and documentation regarding the disciplinary proceedings and suspension shall be immediately destroyed, and no information regarding the meeting shall be placed in the pupil's permanent record or file or communicated to any person not directly involved in the disciplinary proceedings. If the superintendent or the superintendent's designee determines that the penalty imposed was inappropriate for the violation, all records and documentation concerning the suspension shall be revised to indicate only the facts leading to the penalty imposed by the superintendent or the superintendent's designee.

SEC. 23. Section 52048 of the Education Code is amended to read:

52048. (a) It is the intent of the Legislature that the funding system for school improvement programs, as prescribed by Section 52046, be simplified and equalized to the end that all districts have available for ongoing efforts one hundred six dollars ($106) per pupil enrolled in kindergarten and grades 1 through 6, adjusted in the 1985–86 fiscal year and each fiscal year thereafter by the same percentage increase made in base revenue limits for unified school districts with over 1,500 units of average daily attendance.

(b) In order to promote this intent, the Superintendent of Public Instruction shall allocate any cost-of-living adjustment for school improvement programs in a kindergarten and grades 1 through 6 as follows:

(1) For any school district which received an allocation in the prior year, compute the product of one hundred six dollars ($106), adjusted for increases in base revenue limits as specified in subdivision (a), multiplied by 80 percent of the current year enrollment in kindergarten and grades 1 through 6.

(2) For any district which received an allocation in the prior year which was less than the product computed in paragraph (1), allocate funds to the district equivalent to the percentage increase approved by the Legislature as the cost-of-living adjustment for school improvement, except that the allocation to the district for grades 1 through 6 shall not exceed the amount computed in paragraph (1).

(c) The governing board of any school district receiving funds for school improvement programs in kindergarten and grades 1 through 6 may elect to allocate those funds to any school or schools in the district for use in kindergarten and grades 1 through 6 for the operation of school improvement programs in accordance with the provisions of this chapter, provided that the allocation to any school shall not be reduced to less than 80 percent of the amount computed pursuant to paragraph (1) of subdivision (b).

(d) Any funds appropriated by the Legislature for a cost-of-living adjustment for school improvement programs which are not allocated by the Superintendent of Public Instruction as a result of the implementation of subdivision (b) shall be allocated by the superintendent in accordance with subdivision (e).

(e) The Superintendent of Public Instruction shall allocate any additional funds appropriated by the Legislature for the implementation of school improvement programs in kindergarten and grades 1 through 6, plus any funds remaining unallocated pursuant to subdivision (d), to school districts on an application basis. Such funds shall be allocated to school districts in accordance with criteria established by the State Board of Education in order to promote the simplification and equalization of school improvement funding in kindergarten and grades 1 through 6. No funds shall be allocated pursuant to this subdivision to a school district which is receiving school improvement funding for kindergarten and grades 1 through 6 in an amount equal to or greater than the amount computed in paragraph (1) of subdivision (b).

(f) The Superintendent of Public Instruction may waive the planning requirements prescribed pursuant to subdivision (a) of Section 52046, if the school district certifies that school improvement funds may be utilized effectively without preplanning.

The provisions of this section shall become operative July 1, 1984.

SEC. 23.5. Section 52616 of the Education Code is amended to read:

52616. The Superintendent of Public Instruction shall determine

an adult block entitlement for school districts which maintain education programs for adults. This entitlement shall be paid from appropriations to Section A of the State School Fund as a part of the principal apportionment to school districts.

(a) For the 1983–84 fiscal year, each district's adult revenue limit per unit of average daily attendance for the prior fiscal year calculated pursuant to Provision 1 of Item 6100-156-001 of the Budget Act of 1982 shall be increased by seventy dollars ($70). For the 1984–85 fiscal year and each fiscal year thereafter, each district's adult revenue limit per unit of average daily attendance for the prior fiscal year shall be increased by an amount equal to 6 percent of the prior year's statewide average adult revenue limit per unit of average daily attendance, provided that no such revenue limit per unit of average daily attendance shall be less than 1.06 times the prior fiscal year's statewide average adult revenue limit per unit of average daily attendance.

(b) For the purposes of the block entitlement, the district's average daily attendance shall be the lesser of paragraph (1) or (2):

(1) The 1982–83 adult average daily attendance authorized for funding purposes for the programs specified in Section 41976, as specified in Item 6100-156-001 of the Budget Act of 1982, multiplied by 1.025 in the 1983–84 fiscal year and each fiscal year thereafter.

(2) The actual adult average daily attendance for the programs specified in Section 41976.

(c) The adult block entitlement shall be computed by multiplying the adult revenue limit per unit of average daily attendance from subdivision (a) and the adult average daily attendance allowed in subdivision (b). The adult block entitlement shall be deposited in a separate fund of the district to be known as the "adult education fund." Moneys in an adult education fund shall be expended only for adult education purposes. Moneys received for programs other than adult education shall not be expended for adult education.

(d) Each school district which conducted adult education programs for substantially handicapped adults in activity centers, work activity centers, sheltered workshops, state hospitals, and other community settings, shall set aside an amount of money from its adult education block entitlement equal to its current fiscal year revenue limit times the average daily attendance generated in these facilities in the 1979–80 fiscal year times 1.02, subject to the following:

(1) The classes and courses offered in activity centers, work activity centers, sheltered workshops, and state hospitals shall be authorized pursuant to subdivision (e) of Section 41976.

(2) A school district shall operate classes in these facilities and shall expend all funds set aside pursuant to this subdivision and shall use all funds exclusively for those classes for substantially handicapped adults.

(3) The conditions imposed by paragraphs (1) and (2) may be waived by the Superintendent of Public Instruction upon certification from the school district that the local demand for the

program is less than the required level of service.

SEC. 24. Section 52858 of the Education Code is amended to read:

52858. (a) If the school district and school choose to include within the provisions of this article, funds allocated pursuant to Chapter 1 (commencing with Section 54000) of Part 29, the school district shall: (a) if the number of educationally disadvantaged pupils in the school is less than 75 percent of the school's enrollment, ensure that there is state and local funding in the school available for allocation pursuant to subdivision (f) of Section 52853 which is equal to or greater than the per pupil amount allocated to that school per disadvantaged pupil through the economic impact aid program multiplied times 75 percent of the school's enrollment, (b) continue to maintain any school or district advisory committees required pursuant to Chapter 1, and (c) continue to distribute funds to schools in accordance with Sections 54004.3, 54004.5, and 54004.7 and regulations adopted which pertain to those sections.

(b) To the extent permitted by federal law, such that funds allocated pursuant to Article 1 (commencing with Section 54000) of Chapter 1 of Part 29 are deemed by the United States Department of Education to be comparable to funds allocated pursuant to Chapter I of the Educational Consolidation and Improvement Act, the percentage limitation and multiplier established in subdivision (a) may be decreased to not less than 67 percent.

SEC. 24.5. Section 54029 of the Education Code is amended to read:

54029. (a) Any school district which, in the 1982–83 fiscal year, allocated funds received by the district pursuant to this article to secondary schools shall continue to allocate at least the same per-pupil amounts to those schools in subsequent fiscal years.

(b) The State Board of Education may, pursuant to Article 3 (commencing with Section 33050) of Chapter 1 of Part 20, waive any statutory provision or regulation regarding the use of funds apportioned pursuant to this article, provided that the funds are used in the same schools, or in schools in similar need, and the district demonstrates a reasonable case that the waiver will improve pupil services in those schools.

SEC. 25. Section 54060 of the Education Code is amended to read:

54060. (a) For the 1980–81 fiscal year and each year thereafter, the Superintendent of Public Instruction shall:

(1) Identify the unified school districts which received state allocations during the 1976–77 fiscal year pursuant to Section 54002, and determine those districts which have more than 12,022 students in average daily attendance in fiscal year 1975–76, and either of the following criteria:

(A) The product of the district factor determined pursuant to Section 54002 and the count for the 1975–76 fiscal year of children from families receiving aid to families with dependent children is equal to or greater than 3,731.

(B) The district's index of family poverty determined pursuant to

subdivision (b) of Section 54002 is greater than 1.5 and the total minority population in the district determined pursuant to the Racial and Ethnic Survey of 1973 is greater than 55 percent.

(2) For districts so identified, multiply the factor determined pursuant to Section 54002 by the district's aid to families with dependent children count for the 1975–76 fiscal year by the factor computed pursuant to subdivision (b) of Section 42238 and by a factor of 1.1 for districts having an average daily attendance greater than 58,800 in the 1975–76 fiscal year. The superintendent shall total the result for such districts and shall divide that sum into the amount appropriated by the Legislature for the purposes of this section for the fiscal year in question.

(3) Allocate to such districts an amount computed by multiplying the per unit amount in paragraph (2) by the district's factor, and by the district's aid to families with dependent children count for the 1975–76 fiscal year. The amounts allocated pursuant to this paragraph shall be in addition to other amounts computed under this chapter.

(b) In any fiscal year in which the Superintendent of Public Instruction determines that funds are specifically allocated for expenditure for purposes of this subdivision, for the purpose of determining eligibility for funding pursuant to subdivision (a), high school districts and their feeder elementary school districts shall be considered unified school districts.

(c) If the sum appropriated for purposes of this section is not sufficient to make the allowances specified by this section, excluding any amount appropriated for, and any allowances as a result of, subdivision (b), those allowances shall be reduced proportionately.

(d) The allowance prescribed by this section shall be deposited in the general fund of each recipient district and may be used for any purpose for which other funds so deposited may be used and shall not be included in the computation of the revenue limit of the district.

SEC. 26. (a) The Superintendent of Public Instruction shall allocate of the amount allocated from Section A of the State School Fund for the teacher mentor program for the 1983–84 fiscal year pursuant to paragraph (5) of subdivision (a) of Section 41303.3 of the Education Code at least two-thirds of the total funds for stipends pursuant to subdivisions (a) and (b) of Section 44492 of the Education Code, and no more than one-third of the total funds for necessary costs of participation in the mentor program pursuant to subdivision (c) of Section 44492 of the Education Code.

SEC. 27. (a) The Controller shall transfer the amount allocated pursuant to paragraph (3) of subdivision (a) of Section 41301.3 of the Education Code from Section A of the State School Fund to the Instructional Materials Fund.

(b) Subdivision (a) is declaratory of existing law.

SEC. 28. There is hereby appropriated the sum of five hundred thousand dollars ($500,000) from the General Fund to the State Department of Mental Health for allocation to primary prevention projects in accordance with Chapter 6 (commencing with Section

5475) of Part 1 of Division 5 of the Welfare and Institutions Code for the period from September 1, 1983, through June 30, 1984.

SEC. 29. In addition to all other funds appropriated, there is hereby appropriated the sum of seven hundred twenty thousand ($720,000) from the General Fund to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for augmentation of apportionments to county offices of education during the 1983–84 fiscal year on a basis not to exceed eleven dollars and ninety cents ($11.90) per 1981–82 fiscal year second principal apportionment average daily attendance.

SEC. 30. Notwithstanding any other provision of law, the appropriation made by Item 6100-161-001 of the Budget Act of 1983 (Ch. 324, Stats. 1983) is reduced from seven hundred fourteen million eight hundred eighty thousand dollars ($714,880,000) by two million seven hundred fifty thousand dollars ($2,750,000), for a total appropriation of seven hundred twelve million one hundred thirty thousand dollars ($712,130,000).

SEC. 31. Notwithstanding any other provision of law, the appropriation made by Item 6100-191-001 of the Budget Act of 1983 (Ch. 324, Stats. 1983) is hereby augmented by two million seven hundred fifty thousand dollars ($2,750,000), which shall be allocated according to the following schedule:

(a) For purposes of category (a) of Provision 1 of Item 6100-191-001, two million five hundred thousand dollars ($2,500,000).

(b) For purposes of category (d) of Provision 1 of Item 6100-191-001, not to exceed 10 percent of the amount available for encumbrance pursuant to subdivision (a). Funds appropriated for category (d) shall be subject to the provisions of Provision 4 of Item 6100-191-001, excluding the $150,000 limitation with a maximum appropriation from State funds for 1983–84 fiscal year not to exceed $250,000.

SEC. 32. Prior to September 30, 1983, and prior to allocation of funds pursuant to Provision 7 of Item 6100-161-001 and Provision 1 of Item 6100-161-890 of the Budget Act of 1983 (Ch. 324, Stats. 1983), the Superintendent of Public Instruction shall determine the amount of funds, if any, available to the State of California under the provisions of Public Law 94-142 which in his judgment were received by local educational agencies, or by any grantee or contractor, from the State Department of Education, and were not expended as of June 30, 1983. The first two million dollars ($2,000,000) so determined is hereby reappropriated in addition to funding provided by the Budget Act of 1983, for the purposes of augmenting Provision 7 of Item 6100-161-001 and Provision 1 of Item 6100-161-890 of the Budget Act of 1983. The next four million dollars ($4,000,000) so determined is hereby reappropriated in addition to funding provided by the Budget Act of 1983, for funding of the State Master Plan for Special Education as approved by the Governor. Any additional funds so determined are hereby reappropriated for reallocation for local entitlements.

SEC. 33. Notwithstanding Provision 8 of Item 6100-161-001 of the Budget Act of 1982, the funds specified in Provision 6.5 of Item 6100-161-001 of the Budget Act of 1983 may be expended for purposes of reducing or eliminating any deficiency from the 1982–83 fiscal year in allocations for the purposes of Article 9 (commencing with Section 56780) of Chapter 7 of Part 30 of the Education Code.

SEC. 34. Notwithstanding Provision 9 of Item 6100-161-001 of the Budget Act of 1983, funding for purposes of Article 9 (commencing with Section 56780) of Chapter 7 of Part 30 of the Education Code shall not exceed twenty-five million two hundred two thousand dollars ($25,202,000), adjusted to reflect the 8 percent cost of living increase funded by the appropriation made by paragraph (2) of category (d) of Item 6100-226-001 of the Budget Act of 1983 and the appropriation made by Section 14002.1 of the Education Code, as allocated pursuant to paragraph (2) of subdivision (a) of Section 41301.3 of the Education Code.

SEC. 35. The sum of two million two hundred thousand dollars ($2,200,000) is hereby appropriated from the Special Account for Capital Outlay for the purposes provided in Section 23.4 of Chapter 798 of the Statutes of 1980, as amended by Section 15.5 of Chapter 209 of the Statutes of 1982, relating to the renovation and repair of child care facilities to ensure compliance with state and local health and safety standards, and acquisition and lease of relocatable facilities.

SEC. 36. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to permit this act to become operative as early as possible in the 1983–84 school year, and so facilitate the orderly administration of the public school system, it is necessary that this act take effect immediately.

CHAPTER 1303

An act to amend Sections 69940 and 94343 of, to amend, repeal, and add Section 94310 of, and to add Section 94343.2 to, the Education Code, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 69940 of the Education Code is amended to read:

69940 The total amount of bonds authorized to be outstanding at

any one time under this article shall be three hundred million dollars ($300,000,000).

SEC. 2. Section 94310 of the Education Code is amended to read:

94310. No institution may issue, confer, or award an academic or honorary degree unless the institution meets the requirements of at least one of the three subdivisions of this section.

(a) The institution, which at the time of the issuance of a degree, has accreditation of the institution, program, or specific course of study upon which the degree is based by a national accrediting agency recognized by the United States Department of Education, the Western Association of Schools and Colleges, or by the Committee of Bar Examiners for the State of California. The institution shall file with the superintendent an annual affidavit by the administrative head of the institution stating that the institution is so accredited. Institutions authorized to operate under this subdivision may issue diplomas and certificates as well as degrees.

(b) The institution has been approved by the superintendent to award or issue specific degrees. The superintendent shall not approve an institution to issue degrees until it is determined, based upon information submitted to him or her, that the institution has the facilities, financial resources, administrative capabilities, faculty, and other necessary educational expertise and resources to afford students and require of students the completion of a program of education which will prepare them for the attainment of a professional, technological, or educational objective, including, but not limited to, a degree; and the curriculum is consistent in quality with curricula offered by established institutions that issue the appropriate degree upon the satisfactory completion thereof. This shall include the determination that the course for which the degree is granted achieves its professed or claimed objective for higher education. The criteria developed hereunder shall be such as will effectuate the purposes of this chapter, but will not unreasonably hinder legitimate educational innovation.

Upon the receipt of a completed application, the superintendent shall, within 90 days, impanel a special committee for the purpose of evaluating the applicant institution. Within 90 days of the receipt of the special committee's recommendations, the superintendent shall take one of the following actions:

(1) Grant a full approval for a period not to exceed three years.

(2) Grant a conditional approval for a period not to exceed one year plus the remainder of the year in which the application was made.

(3) Disapprove the application. If the application is disapproved or a conditional approval is granted, the institution shall be advised of the specific reasons for such action and the specific corrective measures needed to achieve full approval.

Those institutions approved to issue degrees pursuant to this subdivision may also be authorized by the superintendent to issue diplomas for the completion of courses of study, within their

approved degree program, but which do not fully meet the degree requirements. The superintendent may approve an application to issue honorary degrees, provided the applicant institution has full approval to issue academic degrees.

(c) The institution has filed the following affidavits with the superintendent:

(1) An annual affidavit of "full disclosure" describing the institutional objectives and proposed methods of achieving them, the curriculum, instruction, faculty with qualifications, physical facilities, administrative personnel, educational recordkeeping procedures, tuition and fee schedule, tuition refund schedule, scholastic regulations, degrees to be conferred, graduation requirements, and financial stability as evidenced by a certified financial statement for the preceding year.

(2) An affidavit by the president or other head stating that the institution owns, and shall continue to own, net assets in the amount of fifty thousand dollars ($50,000) which is used solely for the purpose of education as stated in paragraph (1) of this subdivision, located within the State of California, and stating that these assets provide sufficient resources to achieve the educational objectives of the institution. Such assets shall include such real property as buildings and facilities, library materials, and instructional materials, but shall not include other personal property not used directly and exclusively by the institution for the purpose of education. The affidavit shall be accompanied by a statement from a public accountant showing the value of the interest of the institution therein to be at least fifty thousand dollars ($50,000) above the unpaid balance on any note secured by a mortgage, deed of trust, or the unpaid balance on a contract of sale.

(3) An annual affidavit by the president or other head setting forth, as a minimum, the following information:

(i) All names, whether real or fictitious, of the person, institution, firm, association, partnership or corporation under which it has done or is doing business.

(ii) The address, including city and street, of every place of doing business of the person, firm, association, partnership or corporation, within the State of California.

(iii) The address, including city and street, of the location of the records of the person, firm, association, partnership or corporation, and the name and address, including city and street, of the custodian of such records.

(iv) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership or corporation.

(v) That the records required by subdivision (k) of Section 94312 are maintained at the address stated, and are true and accurate.

Any change in the items of information required to be included in this affidavit shall be reported to the superintendent within 20 days of such change.

Within 90 days of the receipt of the affidavits described in paragraphs (1), (2), and (3) of this subdivision, and prior to granting the initial authorization to operate, the superintendent shall verify the truthfulness and accuracy of the affidavits by impaneling a three-member team comprised of one representative which he or she shall select, one representative of the California Postsecondary Education Commission, and one representative selected by but not affiliated with the institution to be inspected. Within 30 days of the receipt of the report from the three-member team, the superintendent shall grant or deny authorization to operate. Authorization to operate may be denied only if the affidavits are inaccurate. Authorization to operate may be granted for one year initially and for periods of three years upon each subsequent renewal, subject to payment of an annual fee pursuant to Section 94331. For all affidavits beyond the initial application, the superintendent may take such steps as may be necessary to verify the truthfulness and accuracy of the affidavits. Filing pursuant to this subdivision shall not be interpreted to mean, and it shall be unlawful for, any institution to expressly or impliedly represent by any means whatsoever, that the State of California, Superintendent of Public Instruction, the State Board of Education, or the Department of Education has made any evaluation, recognition, accreditation, approval, or endorsement of the course of study or degree.

Prior to July 1, 1984, the Council for Private Postsecondary Educational Institutions shall submit to the Legislature recommendations for a revision of this subdivision. These recommendations shall include the proposed authorization standards developed pursuant to Section 94304.5.

(d) This section shall remain in effect only until July 1, 1984, and as of such date is repealed, unless a later enacted statute, which is chaptered before July 1, 1984, deletes or extends such date.

SEC. 3. Section 94310 is added to the Education Code, to read:

94310. No institution may issue, confer, or award an academic or honorary degree unless the institution meets the requirements of at least one of the subdivisions of this section.

(a) The institution, which at the time of the issuance of a degree, has accreditation of the institution, program, or specific course of study upon which the degree is based by a national accrediting agency recognized by the United States Department of Education, the Western Association of Schools and Colleges, or by the Committee of Bar Examiners for the State of California. The institution must file with the superintendent an annual affidavit by the administrative head of the institution stating that the institution is so accredited. Institutions authorized to operate under this subdivision may issue diplomas and certificates as well as degrees.

(b) The institution has been approved by the superintendent to award or issue specific degrees. The superintendent shall not approve an institution to issue degrees until it is determined, based upon information submitted to him or her, that the institution has the

facilities, financial resources, administrative capabilities, faculty, and other necessary educational expertise and resources to afford students and require of students the completion of a program of education which will prepare them for the attainment of a professional, technological, or educational objective, including, but not limited to, a degree; and the curriculum is consistent in quality with curricula offered by established institutions that issue the appropriate degree upon the satisfactory completion thereof. This shall include the determination that the course for which the degree is granted achieves its professed or claimed objective for higher education. The criteria developed hereunder shall be such as will effectuate the purposes of this chapter, but will not unreasonably hinder legitimate educational innovation.

Upon the receipt of a complete application, the superintendent shall, within 90 days, impanel a special committee for the purpose of evaluating the applicant institution. Within 90 days of the receipt of the special committee's recommendations, the superintendent shall take one of the following actions:

(1) Grant a full approval for a period not to exceed three years.

(2) Grant a conditional approval for a period not to exceed one year plus the remainder of the year in which the application was made.

(3) Disapprove the application. If the application is disapproved or a conditional approval is granted, the institution shall be advised of the specific reasons for such action and the specific corrective measures needed to achieve full approval.

Those institutions approved to issue degrees pursuant to this subdivision may also be authorized by the superintendent to issue diplomas for the completion of courses of study, within their approved degree program, but which do not fully meet the degree requirements. The superintendent may approve an application to issue honorary degrees, provided the applicant institution has full approval to issue academic degrees.

(c) The institution has met standards developed and recommended by the Council for Postsecondary Educational Institutions pursuant to Section 94304.5, and adopted by the Legislature.

(d) The institution is structured by schools of theology, and awards degrees primarily in theology and other areas of religious study, and it has filed the following affidavits with the superintendent:

(1) An annual affidavit of "full disclosure" describing the institutional objectives and proposed methods of achieving them, the curriculum, instruction, faculty with qualifications, physical facilities, administrative personnel, educational recordkeeping procedures, tuition and fee schedule, tuition refund schedule, scholastic regulations, degrees to be conferred, graduation requirements, and financial stability as evidenced by a certified financial statement for the preceding year.

(2) An affidavit by the president or other head stating that the institution owns, and shall continue to own, net assets in the amount of fifty thousand dollars ($50,000) which is used solely for the purpose of education as stated in paragraph (1), located within the State of California, and stating that these assets provide sufficient resources to achieve the educational objectives of the institution. Such assets shall include such real property as buildings and facilities, library materials, and instructional materials, but shall not include other personal property not used directly and exclusively by the institution for the purpose of education. The affidavit shall be accompanied by a statement from a public accountant showing the value of the interest of the institution therein to be at least fifty thousand dollars ($50,000) above the unpaid balance on any note secured by a mortgage, deed of trust, or the unpaid balance on a contract of sale.

(3) An annual affidavit by the president or other head setting forth, as a minimum, the following information:

(i) All names, whether real or fictitious, of the person, institution, firm, association, partnership or corporation under which it has done or is doing business.

(ii) The address, including city and street, of every place of doing business of the person, firm, association, partnership or corporation, within the State of California.

(iii) The address, including city and street, of the location of the records of the person, firm, association, partnership or corporation, and the name and address, including city and street, of the custodian of such records.

(iv) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership or corporation.

(v) That the records required by subdivision (k) of Section 94312 are maintained at the address stated, and are true and accurate.

Any change in the items of information required to be included in this affidavit shall be reported to the superintendent within 20 days of such change.

Within 90 days of the receipt of the affidavits described in paragraphs (1), (2), and (3), and prior to granting the initial authorization to operate, the superintendent shall verify the truthfulness and accuracy of the affidavits by impaneling a three-member team comprised of one representative which he or she shall select, one representative of the California Postsecondary Education Commission, and one representative selected by but not affiliated with the institution to be inspected. Within 30 days of the receipt of the report from the three-member team, the superintendent shall grant or deny authorization to operate. Authorization to operate can be denied only if the affidavits are inaccurate. Authorization to operate may be granted for one year initially and for periods of three years upon each subsequent renewal, subject to payment of an annual fee pursuant to Section 94331. For all affidavits beyond the initial application, the

superintendent may take such steps as may be necessary to verify the truthfulness and accuracy of the affidavits. Filing pursuant to this subdivision shall not be interpreted to mean, and it shall be unlawful for, any institution to expressly or impliedly represent by any means whatsoever, that the State of California, Superintendent of Public Instruction, the State Board of Education, or the Department of Education has made any evaluation, recognition, accreditation, approval, or endorsement of the course of study or degree.

(e) This section shall become operative July 1, 1984.

SEC. 4. Section 94343 of the Education Code is amended to read:

94343. The superintendent shall assess each institution which collects any moneys in advance of rendering services an amount equal to one-tenth of 1 percent of the total course cost for each student newly enrolled. The assessment per student shall be not less than one dollar ($1), and not more than four dollars ($4). In addition, for each student who prepays an institution an amount in excess of four thousand dollars ($4,000), the superintendent shall assess the institution one-half of 1 percent of the prepaid amount which exceeds four thousand dollars ($4,000). The assessments shall be paid into the State Treasury and credited to the Student Tuition Recovery Fund, and the deposits shall be allocated, except as otherwise provided for in this chapter, solely for the payment of valid claims to students. In no event shall assessments be levied if, on June 30 of any year, the balance in the fund exceeds seven hundred fifty thousand dollars ($750,000). However, regardless of the balance in the fund, assessments shall be made on any newly approved or authorized institution. Notwithstanding Section 13340 of the Government Code, the moneys so deposited in the Student Tuition Recovery Fund are continuously appropriated to the State Department of Education for the purpose of paying claims to students pursuant to Section 94342. Not more than fifty thousand dollars ($50,000) per fiscal year shall be used for the administration of the tuition recovery program authorized by Section 94342 and this section. The interest earned on money in the fund shall be credited to the fund. Institutions which are accredited by a regional accrediting association recognized by the United States Department of Education, or which meet the student tuition indemnification requirements of a California state agency, or which demonstrate to the superintendent that an acceptable alternative method of protecting their students against loss of prepaid tuition has been established, shall be exempted from the provisions of this section.

In the event of a closure by any institution authorized, or approved under this chapter, any assessments which have been made against such institutions, but have not been paid into the State Treasury, shall be recovered, or any payments from the Student Tuition Recovery Fund to students on behalf of any such institution may be recovered, by appropriate action taken by the Superintendent of Public Instruction. The moneys so deposited in the Student Tuition Recovery Fund shall be exempt from execution and shall not be the

subject of litigation or liability on the part of creditors of such institutions or students.

SEC. 5. Section 94343.2 is added to the Education Code, to read:

94343.2. (a) Any institution which willfully violates the provisions of Section 94343 shall be subject to all of the following:

(1) The institution shall lose all rights to enforce the terms of any contract or agreement arising from the transaction in which the violation occurred.

(2) The institution shall refund to the aggrieved student any fees which it has collected from that student.

(b) An institution's willful violation of the provisions of Section 94343 may be grounds for the revocation of that institution's approval or authorization to operate in this state.

SEC. 6. Section 94343 of the Education Code, as amended by Section 4 of this act, shall become operative upon the date of the first quarterly reporting period following the effective date of this act.

SEC. 7. (a) The amendment made to Section 94310 of the Education Code by Section 2 of this act shall be deemed to have become operative on July 1, 1983.

(b) The Superintendent of Public Instruction shall take all actions necessary to give effect to subdivision (a), and those actions are hereby ratified, validated, and confirmed.

SEC. 8. The Superintendent of Public Instruction and the California Postsecondary Education Commission shall report to the Legislature by March 30, 1984, on the review and appeals process for institutions recognized under subdivision (a) of Section 94310 of the Education Code, with recommendations for appropriate state oversight. The report shall include a review of procedures utilized by national and regional accrediting associations, with suggestions for public policy at the state level regarding state uses of accreditation.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to permit the new assessment rate established pursuant to Section 2 of this act to take effect at the earliest possible date, and in order to allow private postsecondary educational institutions to continue to issue degrees without interruption, it is necessary that this act take effect immediately.

CHAPTER 1304

An act to amend Sections 242, 246, and 4811 of, and to add Sections 4700.1, 4700.5, 4700.7, and 4700.9 to, the Civil Code, relating to child support.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. The Legislature hereby finds and declares that:

(a) The State of California has no single standard to promote equitable, adequate child support awards.

(b) If a parent fails to meet his or her support obligations, or if the amount of the award is inadequate, the state may ultimately be forced to bear the financial responsibility for the child.

(c) The courts generally do not take into consideration or make adjustments for inflation and the greater costs of raising minor children as they increase in age.

SEC. 2. Section 242 of the Civil Code is amended to read:

242. Every individual shall support his or her spouse and child, and shall support his or her parent when in need. The duty imposed by this section shall be subject to the provisions of Sections 196, 206, 246, 4700, 4700.1, 4700.5, 4700.7, 4700.9, 4801, 5131, and 5132.

SEC. 3. Section 246 of the Civil Code is amended to read:

246. When determining the amount due for support, the court shall consider the following circumstances of the respective parties:

(a) The earning capacity and needs of each party.

(b) The obligations and assets, including the separate property, of each.

(c) The duration of the marriage.

(d) The ability of the obligee to engage in gainful employment without unduly interfering with the interests of dependent children in the custody of the obligee.

(e) The time required for the obligee to acquire appropriate education, training, and employment.

(f) The age and health of the parties.

(g) The standard of living of the parties.

The court shall also consider, in fixing an amount for child support, the preservation of the adequacy of the award over the length of time during which the parents will be obligated for the support of a minor child, by utilizing an age increase factor in the standard employed for the determination of child support. The Judicial Council shall develop a formula for the determination of that factor for the use of the courts.

(h) Any other factors which it deems just and equitable.

SEC. 4. Section 4700.1 is added to the Civil Code, to read:

4700.1. (a) It is the intention of the Legislature in enacting this section to provide an additional, simplified method for the modification of child support awards.

(b) A notice of motion to modify an order awarding child support may be filed under this section at any time subsequent to one year after the entry of a previous order for the award of child support, except that the one-year limitation shall not be applicable if the

request for modification is based on a significant decrease in the income of the moving party.

A motion to modify child support shall include a proposed order for modification of child support, and a declaration that the facts on which the motion is based are true and correct, under penalty of perjury. The moving party shall cause the notice of motion and the proposed order to be served on the other party to the child support award. The responding party shall have 30 days from the date of service within which to file an objection and request for a hearing. If the responding party so files, he or she shall be responsible for requesting a hearing date and giving notice thereof to the moving party. The original proof of service of the notice of the objection and request shall be filed at the same time as the filing of the objection and the request for hearing.

(c) No attorney at law or person other than the moving or responding party shall take any part in the filing or prosecution or defense of a proceeding pursuant to this section, unless the attorney is appearing as a party to the proceeding. Nothing in this section shall be construed to prohibit an attorney from rendering advice to a party to the proceeding, either before or after the commencement of the proceeding. However, if a party to such a proceeding elects to be represented by counsel, the court shall proceed on the motion as specified in subdivision (i).

(d) Only one modification of child support pursuant to this section shall be granted within any 12-month period, except in cases where the request for a modification is based on a significant decrease in the income of the moving party.

The court may grant a modification of child support, not to exceed an amount equal to 10 percent of the current award for each year subsequent to the date on which the current award was granted, without requiring a showing of changed circumstances by the moving party, to the extent justified by the economic evidence presented by way of the income statements (and expense statements, if the court deems them necessary and relevant) of the parties. In the event of a default by the responding party, the court shall award a modification without requiring the submission of economic evidence by the moving party, and taking into consideration the age increase factor developed by the Judicial Council pursuant to Section 246.

In cases in which the request for modification is based on a significant decrease in the income of the moving party, the moving party shall present evidence of his or her decline in economic circumstances. The amount of the modification shall be based on the economic evidence presented by way of income statements (and expense statements, if the court deems them necessary and relevant) of the parties. In the event of a default by the responding party in a case where the request for the modification is based on a significant decrease in the income of the moving party, the court shall award a modification based on the evidence. If the court considering the

request for modification awards child support according to guidelines in use within its jurisdiction, the amount of modification shall be based on those guidelines. If no guidelines are in use, the amount of the modification shall be based on the factors employed in determining the existing award.

In addition to the income statement (and the expense statement, if required by the court), in a contested proceeding, both the moving party and the responding party shall make available to the court copies of their state income tax returns for the preceding year at the time of the hearing. No relief shall be granted pursuant to this procedure to a party who fails to submit such documents as may be required by the court or a declaration under penalty of perjury that no such documents exist, or that, in the case of a tax return, it cannot be produced but a copy has been requested from the Franchise Tax Board. A tax return so submitted may be reviewed by the other party and a party also may be examined by the other party as to contents of any such return.

(e) Notice pursuant to this section shall be by certified mail, postage prepaid, return receipt requested, to the last known address of the party to be served, or by personal service. Proof of service shall be filed with the court. In order to facilitate service of process, each party to an order for child support shall provide the other party with his or her current mailing address and any subsequent change of address.

(f) In any proceeding in which the court orders a payment for the support of a minor child, the court shall, at the time of providing written notice of the order, provide the parties with a document describing the procedures by which the order may subsequently be modified.

(g) The party filing a notice of motion to modify child support with the clerk pursuant to this section shall also file a duplicate copy of the notice with the district attorney within five working days of the filing.

(h) Nothing in this section shall be construed to infringe upon the duty of the state to comply with federal rules and regulations pertaining to the establishment, enforcement, and collection of child support payments in cases in which the child is receiving public assistance.

(i) Upon notice by a party to a proceeding under this section that he or she elects to be represented by counsel in the proceeding, the court shall proceed on the motion as in a proceeding for modification of child support pursuant to Section 4700. A party's notice of intent to proceed with the benefit of counsel shall be accompanied by the party's declaration under penalty of perjury stating facts evidencing that intent.

(j) The Judicial Council shall adopt forms or notices for the use of the procedure provided by this section, which shall include a notice advising of the right of a party to proceed with or without benefit of counsel, and which shall incorporate, where appropriate, advice as

to the availability of this additional, simplified method for the modification of child support.

(k) Where it appears in the response to a request for a modification pursuant to this section that issues other than support are contested with respect to the child for whom support is sought, those issues shall be set for mediation pursuant to Section 4607. A separate hearing shall be scheduled with regard to any such issue. The pendency of such a mediation proceeding shall not delay a hearing on the request for a modification pursuant to this section.

SEC. 5. Section 4700.5 is added to the Civil Code, to read:

4700.5. The court shall require the parties in any proceeding where there is at issue the support of a minor child to reveal whether a party is currently receiving, or intends to apply for, public assistance pursuant to the Burton-Miller Act (Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code) for the maintenance of the child.

SEC. 6. Section 4700.7 is added to the Civil Code, to read:

4700.7. In any proceeding involving child support or spousal support, no party thereto may refuse to submit copies of his or her state income tax returns to the court, whether individual or joint.

SEC. 7. Section 4700.9 is added to the Civil Code, to read:

4700.9. Notwithstanding any other provision of law, the court shall have the authority to approve a stipulated agreement by the parties to pay child support for the support of any adult children who are unable to provide for their own support or for the continuation of child support after a child attains the age of 18. These child support orders shall be enforced in the same manner as any other award of child support, including, but not limited to, contempt.

SEC. 8. Section 4811 of the Civil Code is amended to read:

4811. (a) The provisions of any agreement between the parties for child support shall be deemed to be separate and severable from all other provisions of that agreement relating to property and support of the wife or husband. All orders for child support shall be law-imposed and shall be made under the power of the court to make those orders. All such orders for child support, even when there has been an agreement between the parties on the subject of child support, may be modified or revoked at any time at the discretion of the court, subject to the provisions of Sections 4700.1, 4700.5, 4700.7, and 4700.9 except as to any amount that may have accrued prior to the date of filing of the notice of intent to request a modification of child support or the notice of motion or order to show cause to modify or revoke.

(b) The provisions of any agreement for the support of either party shall be deemed to be separate and severable from the provisions of the agreement relating to property. All orders for the support of either party based on the agreement shall be deemed law-imposed and shall be deemed made under the power of the court to make the orders. The provisions of any agreement or order for the support of either party shall be subject to subsequent

modification or revocation by court order, except as to any amount that may have accrued prior to the date of filing of the notice of motion or order to show cause to modify or revoke, and except to the extent that any written agreement, or, if there is no written agreement, any oral agreement entered into in open court between the parties, specifically provides to the contrary.

(c) This section shall be effective only with respect to property settlement agreements entered into on or after January 1, 1970, and shall not be deemed to affect agreements entered into prior thereto, as to which the provisions of Chapter 1308 of the Statutes of 1967 shall apply.

(d) Where the provisions for any agreement between the parties combine child support and spousal support without designating the amount to be paid for child support and the amount to be paid for spousal support, the court shall not be obligated to make a separate order for child support.

These combined child support and spousal support agreements shall be known as family support and shall be enforceable in the same manner and to the same extent as a child support order. The underpayment of any sums due for a period specified in the family support order shall first be applied to satisfy that portion of the agreement pertaining to child support, and any remainder shall be applied to spousal support.

SEC. 9. The provisions of this act shall become operative on July 1, 1984.

SEC. 10. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 11. The provisions of Section 4 of this act shall not become operative if Assembly Bill 1528 is enacted and becomes effective on January 1, 1984.

SEC. 12. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act.

CHAPTER 1305

An act to amend Sections 23010, 23014.5, and 50022.6 of the Government Code, to amend Sections 98.6, 99, and 99.1 of the Revenue and Taxation Code, and to add Section 22612 to the Streets and Highways Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 23010 of the Government Code is amended to read:

23010. (a) Pursuant to a resolution adopted by its board of supervisors, a county may lend any of its available funds to any community services district, county waterworks district, mosquito abatement district, pest abatement district, fire protection district, flood control and water conservation district, recreation and park district, regional park district, regional park and open-space district, regional open-space district, or public cemetery district located wholly within the county, if its funds are or when available will be in the custody of the county or any officer of the county, in order to enable the district to perform its functions and meet its obligations. The loan shall not exceed 85 percent of the district's anticipated revenue for the fiscal year in which it is made or for the next ensuing fiscal year, and shall be repaid out of such revenue prior to the payment of any other obligation of the district.

(b) Pursuant to a resolution adopted by its board of supervisors, a county may loan any of its available funds to a special district, in order to enable the district to perform its functions and meet its obligations. The loan shall not exceed 85 percent of the special district's anticipated property tax revenue projected to be generated for the fiscal year in which it is made or for the next ensuing fiscal year within that portion of the district's territory which is located within the county. The loan shall be repaid out of any available revenue of the special district prior to the payment of any other obligation of the district.

For purposes of this subdivision, "special district" means a special district, as defined in Section 54775, which is located in more than one county.

SEC. 2. Section 23014.5 of the Government Code is amended to read:

23014.5. (a) Pursuant to a resolution adopted by its board of supervisors by a four-fifths vote of all of the members of the Board of Supervisors of Sonoma County, such county may appropriate any of its available moneys to a revolving fund not to exceed four million dollars ($4,000,000) to be used for a public purpose of the County of Sonoma, as determined by the Board of Supervisors of Sonoma County, by any county water district, county sanitation district, flood control district, or county maintenance district, located wholly within the county, for the acquisition of real or personal property, environmental impact studies, fiscal analysis, engineering services, or the construction of structures or improvements needed for district purposes. The revolving fund shall be reimbursed by a district receiving funds pursuant to this section as provided for in Section

23014.

(b) This section shall remain in effect only until January 1, 1985, and as of such date is repealed, unless a later enacted statute, which is chaptered before January 1, 1985, deletes or extends such date.

SEC. 3. Section 50022.6 of the Government Code is amended to read:

50022.6. At least one copy of each primary code adopted by reference, and of each secondary code pertaining thereto, all certified to be true copies by the clerk of the legislative body, shall be filed in the office of the clerk of the legislative body at least 15 days preceding the hearing, and shall be kept there for public inspection while the ordinance is in force. However, after the adoption of the code by reference, one copy of the primary code and of each secondary code may be kept in the office of the chief enforcement officer instead of in the office of the clerk of the legislative body. Following the adoption of any code, the clerk of the legislative body shall at all times maintain a reasonable supply of copies of the primary code and of any secondary codes incorporated in it by reference, available for purchase by the public at a moderate price, not to exceed the actual cost thereof to the adopting local agency.

SEC. 4. Section 98.6 of the Revenue and Taxation Code is amended to read:

98.6. (a) Notwithstanding any other provision of this chapter, the amount allocated pursuant to Sections 96 or 97, and 98, to a special district, as defined in Article 1 (commencing with Section 2201) of Chapter 3 of Part 4, excluding multicounty districts, shall be reduced by an amount computed as follows:

(1) A ratio shall be computed for each of the special districts equal to the amount of state assistance payment for the special district for the 1978–79 fiscal year divided by the sum of the state assistance payment for the special district plus the amount of property tax revenue allocated to the special district for the 1978–79 fiscal year pursuant to Section 26912 of the Government Code.

(2) The amount by which the allocation pursuant to Sections 96 or 97, and 98, shall be reduced shall be equal to the allocation multiplied by the factor computed for the district pursuant to paragraph (1).

(3) The total of all amounts computed for special districts within each county shall be deposited in the Special District Augmentation Fund which shall specify amounts for each governing body as defined in Section 16271 of the Government Code and which shall be allocated pursuant to subdivision (b).

(b) There is hereby created a Special District Augmentation Fund in each county to augment the revenues of special districts. The auditor shall, on or before September 30 of each year, notify each governing body, as defined in Section 16271 of the Government Code, of the amount allocated to it pursuant to this section.

Within 15 days of the notice, the governing body shall hold a public hearing for the purpose of determining the distribution of the funds.

The governing body shall send written notice to the legislative body of each special district which is not governed by the board of supervisors or the city council and shall publish the notice in a newspaper of general circulation in the county not less than three days prior to the hearing. The notice shall include the amount of funds available to special districts, and the time and place of the hearing.

Within 30 days of the notice of allocation, the governing body shall determine the amount of funds to be disbursed to each special district. In determining the amount of funds to be disbursed to each special district, the governing body shall not:

(1) Consider as district revenues any assessments, charges, or special taxes collected pursuant to Section 50077 or 50078 or Article 16 (commencing with Section 53970) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code.

(2) Allocate to a district which collected those assessments, charges, or special taxes, an amount less than the amount which would have been allocated to the district had it not collected any assessments, charges, or special taxes.

(3) Consider revenues distributed to the district from the supplemental unsecured property tax revenue as defined in Section 97.1.

(c) In determining the amount of funds to be disbursed to a special district, the governing body may restrict the use of the funds requested by a special district for purposes of capital purchases to those purposes.

(d) The funds provided for by subdivisions (b) and (c) shall be used exclusively for special districts and shall not be used for any general county or municipal expenses, except that:

(1) The governing body may allocate to its general fund an amount not to exceed the actual demonstrated cost of administering the Special District Augmentation Fund, which shall be an amount necessary to reimburse the actual demonstrated expenditures made to carry out the requirements of subdivisions (a) and (b), and also the actual demonstrated cost of providing the assistance requested by special districts, which amount shall not exceed 1 percent of the amount in the fund.

(2) The governing body may allocate to a special account in its general fund an amount not to exceed 1 percent of the amount of the Special District Augmentation Fund to pay only the costs of expenses incurred by special districts in the event of an emergency. As used in this subparagraph, "emergency" has the same meaning as it does in Section 21060.3 of the Public Resources Code.

(e) Notwithstanding paragraphs (1), (2), and (3) of subdivision (b), the governing body may reduce the allocation to a district which collected those assessments, charges, or special taxes:

(1) To an amount which is generated by that district pursuant to paragraph (2) of subdivision (a).

(2) As a result of an emergency resolution adopted pursuant to

Section 29127 of the Government Code.

(f) The county auditor shall disburse funds to the special district in the same manner as disbursements which are made from the county treasurers property tax trust fund.

(g) Disbursements to cities with more than one subsidiary special district may be made to the city. Each city shall distribute these funds to their individual subsidiary special districts in accordance with the city council's final determination.

SEC. 5. Section 98.6 of the Revenue and Taxation Code, as amended by Section 3 of this act, is amended to read:

98.6. (a) Notwithstanding any other provision of this chapter, the amount allocated pursuant to Sections 96 or 97, and 98, to a special district, as defined in Article 1 (commencing with Section 2201) of Chapter 3 of Part 4, excluding multicounty districts, shall be reduced by an amount computed as follows:

(1) A ratio shall be computed for each of the special districts equal to the amount of state assistance payment for the special district for the 1978–79 fiscal year divided by the sum of the state assistance payment for the special district plus the amount of property tax revenue allocated to the special district for the 1978–79 fiscal year pursuant to Section 26912 of the Government Code.

(2) The amount by which the allocation pursuant to Sections 96 or 97, and 98, shall be reduced shall be equal to the allocation multiplied by the factor computed for the district pursuant to paragraph (1).

(3) The total of all amounts computed for special districts within each county shall be deposited in the Special District Augmentation Fund which shall specify amounts for each governing body as defined in Section 16271 of the Government Code and which shall be allocated pursuant to subdivision (b).

(b) There is hereby created a Special District Augmentation Fund in each county to augment the revenues of special districts. The auditor shall, on or before September 30 of each year, notify each governing body, as defined in Section 16271 of the Government Code, of the amount allocated to it pursuant to this section.

Within 15 days of the notice, the governing body shall hold a public hearing for the purpose of determining the distribution of the funds. The governing body shall send written notice to the legislative body of each special district which is not governed by the board of supervisors or the city council and shall publish the notice in a newspaper of general circulation in the county not less than three days prior to the hearing. The notice shall include the amount of funds available to special districts, and the time and place of the hearing.

Within 30 days of the notice of allocation, the governing body shall determine the amount of funds to be disbursed to each special district. In determining the amount of funds to be disbursed to each special district, the governing body shall not:

(1) Consider as district revenues any assessments, charges, or

special taxes collected pursuant to Section 50077 or 50078 or Article 16 (commencing with Section 53970) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code.

(2) Allocate to a district which collected those assessments, charges, or special taxes, an amount less than the amount which would have been allocated to the district had it not collected any assessments, charges, or special taxes.

(3) Consider revenues distributed to the district from the supplemental unsecured property tax revenue as defined in Section 97.1.

(c) In determining the amount of funds to be disbursed to a special district, the governing body may restrict the use of the funds requested by a special district for purposes of capital purchases to those purposes.

(d) The funds provided for by subdivisions (b) and (c) shall be used exclusively for special districts and shall not be used for any general county or municipal expenses, except that:

(1) The governing body may allocate to its general fund an amount not to exceed the actual demonstrated cost of administering the Special District Augmentation Fund, which shall be an amount necessary to reimburse the actual demonstrated expenditures made to carry out the requirements of subdivisions (a) and (b), and also the actual demonstrated cost of providing the assistance requested by special districts, which amount shall not exceed 1 percent of the amount in the fund.

(2) The governing body may allocate to a special account in its general fund an amount not to exceed 1 percent of the amount of the Special District Augmentation Fund to pay only the costs of the following:

(A) Expenses incurred by special districts in the event of an emergency. As used in this subparagraph, "emergency" has the same meaning as it does in Section 21060.3 of the Public Resources Code.

(B) To carry out the purposes of the California Special District Consolidation Assistance Program established pursuant to Chapter 9.5 (commencing with Section 60350) of Division 2 of Title 6 of the Government Code.

(e) Notwithstanding paragraphs (1), (2), and (3) of subdivision (b), the governing body may reduce the allocation to a district which collected those assessments, charges, or special taxes:

(1) To an amount which is generated by that district pursuant to paragraph (2) of subdivision (a).

(2) As a result of an emergency resolution adopted pursuant to Section 29127 of the Government Code.

(f) The county auditor shall disburse funds to the special district in the same manner as disbursements which are made from the county treasurers property tax trust fund.

(g) Disbursements to cities with more than one subsidiary special district may be made to the city. Each city shall distribute these funds to their individual subsidiary special districts in accordance with the

city council's final determination.

SEC. 6. Section 99 of the Revenue and Taxation Code is amended to read:

99. (a) For the purposes of the computations required by this chapter:

(1) In the case of a jurisdictional change, other than a city incorporation or a formation of a district as defined in Section 2215 of the Revenue and Taxation Code, the auditor shall adjust the allocation of property tax revenue determined pursuant to Section 96 or 97, or the annual tax increment determined pursuant to Section 98, for local agencies whose service area or service responsibility would be altered by such jurisdictional change, as determined pursuant to subdivision (b) or (c).

(2) In the case of a city incorporation or a formation of a district as defined in Section 2215 of the Revenue and Taxation Code, the auditor shall assign the allocation of property tax revenues determined pursuant to Section 54790.3 of the Government Code to the newly formed city or district and shall make the adjustment as determined by Section 54790.3 in the allocation of property tax revenue determined pursuant to Section 96 or 97 for each local agency whose service area or service responsibilities would be altered by such incorporation or formation.

(b) Upon the filing of an application or a resolution pursuant to the Municipal Organization Act (Part 2 (commencing with Section 35000) of Division 2 of Title 4 of the Government Code) or the District Reorganization Act of 1965 (Part 1 (commencing with Section 56000) of Division 1 of Title 6 of the Government Code), but prior to the issuance of a certificate of filing, the executive officer shall give notice of such filing to the assessor and auditor of each county within which the territory subject to the jurisdictional change is located. Such notice shall specify each local agency whose service area or responsibility will be altered by the jurisdictional change.

(1) (A) The county assessor shall provide to the county auditor, within 30 days of the notice of filing, a report which identifies the assessed valuations for the territory subject to the jurisdictional change and the tax rate area or areas in which the territory exists.

(B) The auditor shall estimate the amount of property tax revenue generated within the territory which is the subject of the jurisdictional change during the current fiscal year.

(2) The auditor shall estimate what proportion of the property tax revenue determined pursuant to paragraph (1) is attributable to each local agency pursuant to Section 96 or 97, and Section 98, notwithstanding the provisions of Section 98.6.

(3) Within 45 days of notice of the filing of an application or resolution, the auditor shall notify the governing body of each local agency whose service area or service responsibility will be altered by the amount of, and allocation factors with respect to, property tax revenue estimated pursuant to paragraph (2) which is subject to a negotiated exchange.

(4) Upon receipt of the estimates pursuant to paragraph (3) the local agencies shall commence negotiations to determine the amount of property tax revenues to be exchanged between and among such local agencies. Such negotiation period shall not exceed 30 days.

Such exchange may be limited to an exchange of property tax revenues from the annual tax increment generated in the area subject to the jurisdictional change and attributable to the local agencies whose service area or service responsibilities will be altered by the proposed jurisdictional change. The final exchange resolution shall specify how the annual tax increment shall be allocated in future years.

(5) In the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the board of supervisors of the county or counties in which the districts are located shall, on behalf of the district or districts, negotiate any exchange of property tax revenues.

(6) Notwithstanding any other provision of law, the executive officer shall not issue a certificate of filing pursuant to Sections 35152, 54791, or 56198 of the Government Code until such local agencies included in the property tax revenue exchange negotiation, within the 30-day negotiation period, present resolutions adopted by each such county and city whereby each such county and city agrees to accept the exchange of property tax revenues.

(7) In the event that the commission modifies the proposal or its resolution of determination, any local agency whose service area or service responsibility would be altered by the proposed jurisdictional change may request, and the executive officer shall grant, 15 days for the affected agencies, pursuant to paragraph (4) to renegotiate an exchange of property tax revenues. Notwithstanding the time period specified in paragraph (4), if the resolutions required pursuant to paragraph (6) are not presented to the executive officer within the 15-day period, all proceedings of the jurisdictional change shall automatically be terminated.

(8) No later than the date on which the certificate of completion of the jurisdictional change is recorded with the county recorder, the executive officer shall notify the auditor or auditors of the exchange of property tax revenues and the auditor or auditors shall make the appropriate adjustments as provided in subdivision (a).

(c) Whenever a jurisdictional change is not required to be reviewed and approved by a local agency formation commission, the local agencies whose service area or service responsibilities would be altered by the proposed change, shall give notice to the State Board of Equalization and the assessor and auditor of each county within which the territory subject to the jurisdictional change is located. Such notice shall specify each local agency whose service area or responsibility will be altered by the jurisdictional change and request the auditor and assessor to make the determinations required pursuant to paragraphs (1) and (2) of subdivision (b). Upon notification by the auditor of the amount of, and allocation factors

with respect to, property tax subject to exchange, such local agencies, pursuant to the provisions of paragraphs (4), (5), and (6) of subdivision (b), shall determine the amount of property tax revenues to be exchanged between and among such local agencies. Notwithstanding any other provision of law, no such jurisdictional change shall become effective until each county and city included in such negotiations agrees, by resolution, to accept the negotiated exchange of property tax revenues. Such exchange may be limited to an exchange of property tax revenue from the annual tax increment generated in the area subject to the jurisdictional change and attributable to the local agencies whose service area or service responsibilities will be altered by the proposed jurisdictional change. The final exchange resolution shall specify how the annual tax increment shall be allocated in future years. Upon the adoption of the resolutions required pursuant to this section, the adopting agencies shall notify the auditor who shall make the appropriate adjustments as provided in subdivision (a).

(d) With respect to adjustments in the allocation of property taxes pursuant to this section, a county and any local agency or agencies within the county may develop and adopt a master property tax transfer agreement. Such agreement may be revised from time to time by the parties subject to such agreement.

(e) Except as otherwise provided in subdivision (f), for the purpose of determining the amount of property tax to be allocated in the 1979–80 fiscal year and thereafter for those local agencies which were affected by a jurisdictional change which was filed with the State Board of Equalization after January 1, 1978 but on or before January 1, 1979. The local agencies shall determine by resolution the amount of property tax revenues to be exchanged between and among such affected agencies and notify the auditor of such determination.

(f) For the purpose of determining the amount of property tax to be allocated in the 1979–80 fiscal year and thereafter, for a city incorporation which was filed pursuant to Sections 54900 to 54904 after January 1, 1978, but on or before January 1, 1979, the amount of property tax revenue considered to have been received by such jurisdiction for the 1978–79 fiscal year shall be equal to two-thirds of the amount of property tax revenue projected in the final local agency formation commission staff report pertaining to such incorporation multiplied by the proportion that the total amount of property tax revenue received by all jurisdictions within the county for the 1978–79 fiscal year bears to the total amount of property tax revenue received by all jurisdictions within the county for the 1977–78 fiscal year. Except, however, in the event that the final commission report did not specify the amount of property tax revenue projected for such incorporation, the commission shall by October 10, determine pursuant to Section 54790.3 of the Government Code the amount of property tax to be transferred to the city.

The provisions of this subdivision shall also apply to the allocation of property taxes for the 1980–81 fiscal year and thereafter for incorporations approved by the voters in June 1979.

(g) For the purpose of the computations made pursuant to this section, in the case of a district formation which was filed pursuant to Sections 54900 to 54904, inclusive, of the Government Code after January 1978, but before January 1, 1979, the amount of property tax to be allocated to such district for the 1979–80 fiscal year and each fiscal year thereafter shall be determined pursuant to Section 54790.3 of the Government Code.

(h) For the purposes of the computations required by this chapter, in the case of a jurisdictional change, other than a change requiring an adjustment by the auditor pursuant to subdivision (a), the auditor shall adjust the allocation of property tax revenue determined pursuant to Section 96 or 97, or the annual tax increment determined pursuant to Section 98, for each local school district, community college district, or county superintendent of schools whose service area or service responsibility would be altered by such jurisdictional change, as determined as follows:

(1) The governing body of each such district, county superintendent of schools, or county whose service areas or service responsibilities would be altered by such change shall determine the amount of property tax revenues to be exchanged between and among such affected jurisdictions. Such determination shall be adopted by each affected jurisdiction by resolution. For the purpose of negotiation, the county auditor shall furnish the parties and the county board of education with an estimate of the property tax revenue subject to negotiation.

(2) In the event that such affected jurisdictions are unable to agree, within 60 days after the effective date of the jurisdictional change, and if all the jurisdictions are wholly within one county, the county board of education shall, by resolution, determine the amount of property tax revenue to be exchanged. If the jurisdictions are in more than one county, the State Board of Education shall, by resolution, within 60 days after the effective date of the jurisdictional change, determine the amount of property tax to be exchanged.

(3) Upon adoption of any resolution pursuant to this subdivision, the adopting jurisdictions or State Board of Education shall notify the county auditor who shall make the appropriate adjustments as provided in subdivision (a).

(i) For purposes of subdivision (h), the annexation by a community college district of territory within a county not previously served by a community college district is an alteration of service area. The community college district and the county shall negotiate the amount, if any, of property tax revenues to be exchanged. In such negotiations, there shall be taken into consideration the amount of revenue received from the timber yield tax and forest reserve receipts by the community college district in the area not previously served. In no event shall the property tax

revenue to be exchanged exceed the amount of property tax revenue collected prior to such annexation for the purposes of paying tuition expenses of residents enrolled in such community college district, adjusted each year by the percentage change in population and the percentage change in cost of living, or per capita personal income, whichever is lower, less the amount of revenue received by the community college district in the annexed area from the timber yield tax and forest reserve receipts.

(j) At any time after a jurisdictional change is effective, any of the local agencies party to the agreement to exchange property tax revenue may renegotiate the agreement with respect to the current fiscal year or subsequent fiscal years, subject to approval by all local agencies affected by the renegotiation.

SEC. 7. Section 99.1 of the Revenue and Taxation Code is amended to read:

99.1. (a) For the purposes of Section 99, in the case of a jurisdictional change which will result in a special district providing one or more services to an area where such services have not been previously provided by any local agency, the following shall apply:

(1) The special district referred to in this subdivision and each local agency which receives an apportionment of property tax revenue from the area shall be considered local agencies whose service area or service responsibility will be altered by the jurisdictional change.

(2) The exchange of property tax among such local agencies shall be limited to property tax revenue from the annual tax increment generated in the area subject to the jurisdictional change and attributable to such local agencies.

(3) Notwithstanding the provisions of paragraph (5) of subdivision (b) of Section 99, any special district affected by the jurisdictional change may negotiate on its own behalf, if it so chooses.

(4) If a special district involved in the negotiation (other than the district which will provide one or more services to the area where such services have not been previously provided) fails to adopt a resolution providing for the exchange of property tax revenue, the board of supervisors of the county in the area subject to the jurisdictional change is located shall determine the exchange of property tax revenue for such special district.

(b) The provisions of subdivisions (a), (b), (c), (d), and (j) of Section 99 not in conflict with this section shall apply. The jurisdictional changes described in subdivisions (e), (f), (g), (h), and (i) of Section 99 shall not be affected by the provisions of this section.

SEC. 8. Section 22612 is added to the Streets and Highways Code, to read:

22612. If all of the territory of a district is included within one city by annexation or incorporation, the legislative body may transfer jurisdiction over the district to the city council of the city by a joint resolution setting forth the mutually agreed upon terms and conditions under which the transfer is to take place.

SEC. 9. Notwithstanding the provisions of Sections 54902, 54902.1, and 54903 of the Government Code, the formation of County Service Area R-1982-1 and County Service Area R-1982-2 in the County of Alameda to provide road improvement services shall be effective for assessment and taxation purposes for the 1983–84 fiscal year if the statement and map or plat required by Sections 54900 and 54901 of the Government Code are filed with the State Board of Equalization and each assessor whose roll is used for the levy on or before October 1, 1983.

SEC. 10. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstance of County Service Areas R-1982-1 and R-1982-2 in Alameda County being unable to file the statement map or plat required by Section 54900 of the Government Code by January 1, 1982.

SEC. 11. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because this act is in accordance with the request of a local agency or school district which desired legislative authority to carry out the program specified in this act.

SEC. 12. Section 5 of this bill incorporates amendments to Section 98.6 of the Revenue and Taxation Code proposed by both this bill and SB 453. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 1984, but this bill becomes operative first, (2) each bill amends Section 98.6 of the Revenue and Taxation Code, and (3) this bill is enacted after SB 453, in which case Section 98.6 of the Revenue and Taxation Code, as amended by Section 4, of this bill, shall remain operative only until the operative date of SB 453, at which time Section 5 of this bill shall become operative.

SEC. 13. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that this act, which would make statutory changes necessary to provide for local government financing during the 1983–84 fiscal year, may take effect for the majority of the 1983–84 fiscal year, it is necessary that this act take effect immediately.

CHAPTER 1306

An act to amend Sections 1136, 1163, 1165, 1190, and 1194 of the Harbors and Navigation Code, relating to pilots.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 1136 of the Harbors and Navigation Code is amended to read:

1136. (a) Every pilot licensed pursuant to the terms of this division shall take an oath of office in the manner prescribed by law and shall, once each month, on forms furnished by the board, render a verified account to the board of all moneys received by him as a result of pilotage services, or by any other person for him, or on his account; and he shall pay to the board, exclusive of the amounts received that are attributable to the increase in pilotage rates and the minimum charge for bar pilotage made by the amendments of Section 1190 enacted at the 1975–76 Regular Session of the Legislature, the 1977–78 Regular Session of the Legislature, the 1979–80 Regular Session of the Legislature, the 1981–82 Regular Session of the Legislature, and the 1983–84 Regular Session of the Legislature, 5 percent of all bar pilotage fees, or such lesser percentage as is established by the board, with the approval of the Department of Finance, in full compensation of the board for its official services, for the services of its secretary and treasurer, and for all its incidental expenses.

(b) It is the intent of the Legislature that moneys received that are attributable to the increase in pilotage rates and the minimum charge for bar pilotage made by the amendments of Section 1190 enacted at the 1975–76 Regular Session of the Legislature, the 1977–78 Regular Session of the Legislature, the 1979–80 Regular Session of the Legislature, the 1981–82 Regular Session of the Legislature, and the 1983–84 Regular Session of the Legislature be used for increased operating and boatbuilding expenses incurred by pilots. It is further the intent of the Legislature that an accounting of such moneys shall be made by every pilot, at no cost to the state, to the board, or to any interested party, upon request.

SEC. 2. Section 1163 of the Harbors and Navigation Code is amended to read:

1163. (a) (1) Each retired or disabled pilot shall receive, as a monthly pension, that amount which is eighty dollars ($80) multiplied by the number of full years of service he performed as a pilot licensed under this division.

(2) A pilot who retires or becomes disabled shall not begin to receive his pension until the benefit year next following the date on which he retires or becomes disabled.

(3) No retired pilot shall receive benefits pursuant to the pension plan in any benefit year unless his resignation as an active pilot specifying a proposed date of retirement was submitted, in writing, to the Board of Pilot Commissioners, prior to December if his retirement is to be effective the first day of the following January or

prior to June if his retirement is to be effective the first day of the following July. His resignation shall become effective on either January 1 or July 1 as specified in the written resignation.

(4) If a retired or disabled pilot who is receiving a pension dies without a wife surviving him, his successor in interest shall receive the proceeds of the pension for the remainder of the benefit year, after which time it shall cease.

(b) (1) The widow of a deceased pilot who would be eligible for a pension pursuant to subdivision (c) of Section 1164 shall receive, as a monthly pension, one-half of the amount that her deceased husband would have received as a pension pursuant to this section had he lived.

(2) If a retired or disabled pilot receiving a pension dies, his widow shall continue to receive the full pension to which her deceased husband was entitled for the balance of the benefit year, after which she shall receive the amount specified in paragraph (1) of this subdivision.

(3) When a widow receiving a pension dies, her successor in interest shall receive the proceeds of the pension for the remainder of the benefit year, after which time it shall cease.

(c) For the purposes of the computations described in paragraph (1) of subdivision (a) of this subdivision, six months or more of service by a pilot shall be considered a full year.

SEC. 3. Section 1165 of the Harbors and Navigation Code is amended to read:

1165. (a) In addition to and concurrently with the basic pilotage rate described in Section 1190, a charge shall be levied for pilotage services at a rate necessary to provide the benefits to be paid out pursuant to the pension plan. The additional rate shall be determined as follows:

(1) On December 1 and June 1, of each year, the number of persons eligible to receive benefits under the plan, their identities, the amount each will be entitled to receive, and the total amount to be paid out to all such persons during each month of the next six-month period, shall be determined by the fiduciary agent.

(2) After the total amount to be paid out monthly under the plan has been determined, the rate necessary to provide that amount each month shall be calculated. The rate shall be based upon the volume of shipping, in gross registered tons, handled by pilots licensed under this division for the 12-month periods ending the previous September 30 and the previous March 31, respectively. The rate shall be expressed as mills per gross registered ton and shall be calculated to the nearest one-hundredth of a mill.

(3) Based on the above calculations, if the total amount to be paid out yearly will exceed five hundred thousand dollars ($500,000), the rate shall be established so that the pension plan will produce maximum revenues of five hundred thousand dollars ($500,000) per year and the benefits shall be reduced accordingly.

(b) The rate determined pursuant to paragraphs (1), (2), and (3)

of subdivision (a) shall become effective on January 1 of the following year with respect to the September 30 calculations, and on July 1 of that year with respect to the March 31 calculations, and shall be in effect for the succeeding six-month period.

(c) Revenues for any month or year are the amounts to be received pursuant to the pension plan for pilotages during that month or year.

(d) Benefits pursuant to the new rate calculations shall be paid commencing in February and August of each year and shall continue through and include July of the same year and January of the following year. The period during which benefits are paid is the benefit year.

SEC. 4. Section 1190 of the Harbors and Navigation Code is amended to read:

1190. Every vessel spoken inward or outward bound, shall pay the following rate of bar pilotage through the Golden Gate and into or out of the Bays of San Francisco, San Pablo, and Suisun:

(a) Seven dollars and thirty-five cents ($7.35) per draft foot of the vessel's deepest draft and fractions of a foot pro rata, and an additional charge of 22.50 mills ($0.02250) per high gross registered ton.

(b) A minimum charge for bar pilotage shall be six hundred dollars ($600) for each vessel piloted.

(c) The vessel's deepest draft shall be the maximum draft attained, on a stillwater basis, at any part of the vessel during the course of such transit inward or outward.

SEC. 5. Section 1194 of the Harbors and Navigation Code is amended to read:

1194. Notwithstanding any other provision of law, rates for inland pilotage shall be 19 percent more than were in existence as set forth in the schedule of ship pilot fees effective February 15, 1980, Pacific Maritime Region, San Francisco Bay and Tributaries.

CHAPTER 1307

An act to amend Section 50740 of, to add Chapter 3.6 (commencing with Section 50533) to Part 2 of Division 31 of, and to repeal Chapter 3.3 (commencing with Section 50525) of Part 2 of Division 31 of, the Health and Safety Code, relating to older persons, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983]

I am reducing the appropriations contained in Section 4 of Senate Bill No. 19 from $87,673 to $50,000.

Only $50,000 is needed to continue the Golden State Senior Citizens Discount Program for the remainder of the 1983–84 fiscal year.

With this reduction, I approve Senate Bill No. 19.

GEORGE DEUKMEJIAN, Governor

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

SECTION 1. Chapter 3.3 (commencing with Section 50525) of Part 2 of Division 31 of the Health and Safety Code is repealed.

SEC. 2. Chapter 3.6 (commencing with Section 50533) is added to Part 2 of Division 31 of the Health and Safety Code, to read:

CHAPTER 3.6. SENIOR CITIZENS' SHARED HOUSING PROGRAM

50533. The Legislature finds and declares:

(a) The paucity of available housing in this state often creates grave hardships for persons such as senior citizens who often must live on a fixed income. These hardships have been aggravated by the severe cutbacks in federal housing programs.

(b) Many senior citizens would prefer to live independently, but are forced to resort to institutionalized living arrangements due to the economic difficulties of living in the community and the loneliness and fear which are often prevalent among senior citizens living by themselves.

(c) Living in institutional facilities prematurely is not only undesirable for senior citizens, but it also places severe financial burdens upon taxpayers since the cost of institutionalization is far greater than the cost of assisting persons to remain in their communities.

(d) Programs designed to help seniors find other seniors and nonseniors with whom they may share existing housing have proven to be extremely beneficial in bettering the lives of elderly persons.

(e) There is a tremendous demand for these programs as evidenced by the substantial number of applications received by the Department of Housing and Community Development pursuant to the Senior Citizens Shared Housing Pilot Program.

50533.1. There is hereby established the Senior Citizens' Shared Housing Program. It is the purpose of the Senior Citizens' Shared Housing Program to assist projects which shall assist senior citizens in finding other seniors and nonseniors with whom they may share existing housing units.

50533.2. The Department of Housing and Community Development shall administer the Senior Citizens' Shared Housing Program and select nonprofit organizations, for the establishment of projects to assist seniors in finding other seniors and nonseniors with whom to share existing housing units.

50533.3. The methods for assisting senior citizens in the Senior Citizens' Shared Housing Program shall include, but not be limited to:

(a) Information contacts initiated with local landlords.

(b) Volunteers utilized to find vacancy listings.

50533.4. The following criteria shall be used to analyze the effectiveness of the Senior Citizens' Shared Housing Program:

(a) At least 3,000 seniors, through the efforts of the projects established in this chapter, shall be expected to have changed their living arrangements from that of living alone to sharing existing housing.

(b) Seniors assisted by the project in finding shared living arrangements shall be expected to enjoy a reduced cost of living due to their change in living arrangements, and living costs for these seniors shall be expected to be lower than costs of institutionalization.

50533.5. The department shall provide funds on an equal matching basis to each nonprofit organization it selects for projects under this chapter. No organization shall receive funds under this chapter without first raising its matching share. The funds shall be used to cover staff and office operations costs. In no case shall any organization receive more than fifty thousand dollars ($50,000), in any one year.

50533.6. The department may determine the duration of each project under this chapter.

50533.7. The department shall make a final report six months following termination of each project.

SEC. 3. Section 50740 of the Health and Safety Code is amended to read:

50740. (a) The Rental Housing Construction Incentive Fund established in the State Treasury is hereby renamed the Rental Housing Construction Fund. Notwithstanding Section 13340 of the Government Code, all money in the fund is hereby continuously appropriated to the Department of Housing and Community Development, and, except as provided in subdivisions (b), (c), and (d), shall be utilized for purposes of this chapter, including Section 50745.1, and for the purposes of Section 50775.5. All interest or other increment resulting from investment or deposit of moneys in the fund shall be deposited in the fund, notwithstanding Section 16305.7 of the Government Code. Moneys in the fund shall not be subject to transfer to any other fund pursuant to any provision of Part 2 (commencing with Section 16300) of Division 4 of Title 2 of the Government Code, excepting the Surplus Money Investment Fund.

(b) Money from the fund utilized by the agency for development costs which was repaid to the agency or disencumbered between June 30, 1982, and June 30, 1983, and any additional funds or interest which is available for encumbrance on June 30, 1983, shall be deposited in a separate account in the fund and utilized as follows:

(1) Eight million one hundred thousand dollars ($8,100,000) shall be utilized by the agency for activities authorized by Article 4.5 (commencing with Section 51180) of Chapter 5 of Part 3.

(2) Five hundred thousand dollars ($500,000) shall be transferred by the agency to the department for deposit in the Rural Community Facility Grant Fund, established pursuant to Section 6125, and utilized to carry out the program established by Chapter 11

(commencing with Section 6120) of Part 3 of Division 5, if Assembly Bill 1604 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(3) Three million dollars ($3,000,000) shall be transferred by the agency to the department and deposited in the Housing Rehabilitation Loan Fund, established pursuant to Section 50661, and utilized for making deferred payment loans for residential hotels as authorized by subdivision (b) of Section 50661 and for purposes of subdivision (c) of Section 50661, if Senate Bill 26 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(4) One million seven hundred thousand dollars ($1,700,000) shall be transferred by the agency to the department for deposit in the Emergency Housing and Assistance Fund, established pursuant to Section 50800, and utilized to carry out the program established by Chapter 11 (commencing with Section 50800), if Assembly Bill 1363 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(5) Two million five hundred thousand dollars ($2,500,000) shall be transferred by the agency to the Trustees of the California State University for deposit in the Affordable Student Housing Revolving Fund, established pursuant to Section 90087 of the Education Code, and utilized to carry out the program established by Article 3 (commencing with Section 90085) of Chapter 8 of Part 55 of the Education Code, if Assembly Bill 133 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(6) Three hundred thousand dollars ($300,000) shall be transferred by the agency to the department and utilized to carry out the program established by Chapter 3.6 (commencing with Section 50533), if Senate Bill 19 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(7) Four million two hundred thousand dollars ($4,200,000) shall be transferred by the agency to the department for deposit in the annuity fund, established pursuant to Section 50738.5, and utilized for the purposes authorized by that section, if Assembly Bill 1765 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(c) An amount not to exceed four million dollars ($4,000,000) of the moneys from the fund utilized by the agency for development costs which is repaid to the agency or disencumbered on or after July 1, 1983, shall be deposited in the separate account established pursuant to subdivision (b) and utilized and apportioned in accordance with the following percentages as it becomes available:

(1) Fifty percent of the moneys shall be transferred by the agency to the department and deposited in the Housing Rehabilitation Loan Fund, established pursuant to Section 50661, and utilized for the

purposes specified in paragraph (3) of subdivision (b) if Senate Bill 26 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(2) Twenty-five percent of the moneys shall be transferred by the agency to the department for deposit in the Emergency Housing and Assistance Fund, established pursuant to Section 50800, and utilized for the purposes specified in paragraph (4) of subdivision (b) if Assembly Bill 1363 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(3) Twenty-five percent of the moneys shall be transferred by the agency to the department for deposit in the annuity fund, established pursuant to Section 50738.5, and utilized for the purposes specified in paragraph (7) of subdivision (b) if Assembly Bill 1765 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective and operative on or before January 1, 1984.

(d) If any of the bills specified in paragraphs (2) to (7), inclusive, of subdivision (b), or subdivision (c), are not chaptered or do not become effective and operative on or before January 1, 1984, or the expenditure of funds for any of the purposes authorized by subdivision (b) or (c) is otherwise reduced, the amount of funds allocated pursuant to those subdivisions shall be reallocated by the agency, between January 1, 1984, and January 14, 1984, among the remaining programs specified in subdivision (b) or (c), for which the funds were not reduced, on a pro rata basis.

SEC. 4. There is hereby appropriated from the General Fund to the Department of Consumer Affairs, in augmentation of Item 1640-086-001 of the Budget Act of 1983, the sum of eighty-seven thousand six hundred seventy-three dollars ($87,673), for expenditure for the Golden State Senior Citizen Discount Program provided for under Section 9335 of the Welfare and Institutions Code.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

There is an acute housing shortage for senior citizens which has become aggravated by federal cutbacks. It is, therefore, necessary that this act take effect immediately.

CHAPTER 1308

An act to amend Sections 30340.5 and 30352 of the Public Resources Code, to add Item 3720-001-891 to, and to repeal Item 3720-001-890 of, the Budget Act of 1983 (Ch. 324, Stats. 1983), and to add Section 18.30 to the Budget Act of 1983 (Ch. 324, Stats. 1983), relating to coastal resources, and making an appropriation therefor.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

I am reducing the appropriation to the California Coastal Commission contained in Section 3 of Senate Bill No. 232 from $1,021,000 to $517,000, and eliminating specified provisions relating to the appropriation. This reduction would permit the Coastal Commission to maintain its staff resources at the approved 1983–84 budget level which is sufficient to accomplish its planning and regulatory responsibilities.

Specifically, this reducted appropriation of $517,000 will provide the Coastal Commission with $90,000 to pass through to the San Francisco Bay Conservation and Development Commission for continued State Compliance with the Federal Coastal Zone Management Act in the San Francisco Bay Area.

Also, to mitigate identifiable costs associated with staff reductions at the Commission while maintaining a staff level consistent with the approved 1983–84 budget for the Commission, I am including $350,000 and eliminating portions of the language in provision 3 of Section 3 of this bill to conform with my reduction. Furthermore, I concur with the remaining language in provision 3 which identifies those high priority local coastal programs for the Counties of Mendocino and San Diego, the Cities of San Diego and Chula Vista and the areas of Big Sur, Malibu-Santa Monica Mountains and Ballona that are most urgent from the standpoint of transferring significant improvements to California's coastal resource management program as required by the Federal Coastal Zone Management Act.

Finally, I am eliminating provisions number 1, 4 and 5 contained in Section 3 to conform with my action of reducing this bill's appropriation.

I am not changing Section 4 of this bill which clarifies and maximizes the eligible uses of financial assistance to local governments for their local coastal programs nor am I modifying Sections 1 and 2 of this bill.

With this reduction, I approve Senate Bill No. 232.

GEORGE DEUKMEJIAN, Governor

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

SECTION 1. Section 30340.5 of the Public Resources Code is amended to read:

30340.5. (a) It is the policy of the state that no less than 50 percent of funds received by the state from the federal government pursuant to the Federal Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451, et seq.), shall be used for the preparation, review, approval, certification, and implementation of local coastal programs.

(b) Any local government subject to this division may claim reimbursement of costs incurred as a direct result of the operation of or any requirement promulgated pursuant to this division. Notwithstanding any other provision of law, claims for reimbursement of mandated costs directly attributable to the operation of this division shall only be submitted, reviewed, and approved in the manner set forth in this section.

(c) Claims pursuant to this section shall be submitted to the executive director of the commission no later than September 30. The executive director shall review the claims in accordance with the provisions of this section and shall submit all the claims to the Controller within 60 days after receipt of a claim but in no event later than November 30.

(d) All claims submitted pursuant to this section shall be filed on forms approved and prepared by the commission in consultation with the Controller. The forms shall specify the information needed to enable the executive director of the commission and the

Controller to make the determinations required by subdivision (e). The forms shall clearly set forth information requirements for the evaluation of the following categories of costs:

(1) Costs for work relating to the preparation, review, and approval of local coastal programs or any portion thereof.

(2) Costs for work which is not covered by paragraph (1).

The claim forms required by this section shall provide for claims of actual costs incurred during the fiscal year preceding submittal and for the costs the claimant local government estimates will be incurred during the then current fiscal year.

(e) The executive director shall review and evaluate each claim submitted pursuant to this section and shall determine whether:

(1) The costs claimed are not paid for or reimbursed from any other source of state or federal funding.

(2) The costs are for work which is the direct result of and is mandated by the operation of this division or by the commission or whether the work is optional.

(3) With respect to costs specified in paragraph (1) of subdivision (d), the work done or to be done is reasonable and necessary for the preparation and approval of a local coastal program pursuant to a local coastal program work program approved by the commission, or for work which is not part of an approved work program if the work can be shown to be necessary for the completion of a certifiable local coastal program or if new information or other circumstances cause the commission to require that the work be carried out.

(f) The executive director of the commission shall submit to the Controller, on behalf of each claimant local government, all claims submitted pursuant to this section together with his or her recommendation whether the Controller should allow or deny, in whole or in part, the claim. The executive director's recommendation shall be based on his or her determinations made pursuant to subdivision (e). If the executive director fails to make a recommendation by the time claims are required to be submitted to the Controller as provided in subdivision (c), the executive director is deemed to have recommended approval of the claim.

(g) Section 2231 of the Revenue and Taxation Code shall apply to claims filed pursuant to this section. However, where a conflict between Section 2231 of the Revenue and Taxation Code and this section occurs, the conflict shall be resolved in a manner that best carries out the purposes of this section. The Controller shall apply the criteria of subdivision (e) in determining whether to allow or deny, in whole or in part, any claim and shall consider the recommendations of the executive director of the commission.

SEC. 2. Section 30352 of the Public Resources Code is amended to read:

30352. (a) Any local government carrying out its certified local coastal programs may, upon the delegation of the development review authority pursuant to Section 30519, claim reimbursement of costs incurred for the implementation of such local coastal program

if costs have not been provided in an implementation grant issued pursuant to Section 30351.

(b) Claims made pursuant to this article shall be submitted to the executive director of the commission not later than September 30 immediately following the fiscal year during which the claimed costs were incurred. The executive director shall review such claims in accordance with the provisions of this article and shall submit all such claims to the Controller within 60 days after receipt of a claim, but in no event later than November 30.

(c) All claims submitted pursuant to this section shall be filed on forms approved and prepared by the commission in consultation with the Controller. Such forms shall specify the information needed to enable the executive director of the commission and the Controller to make the determinations required by Section 30353. The claim forms required by this section shall provide for claims of actual costs incurred during the fiscal year preceding submittal and for the costs the claimant local government estimates will be incurred during the then-current fiscal year.

SEC. 3. Item 3720-001-891 is added to the Budget Act of 1983 (Ch. 324, Stats. 1983), to read:

3720-001-891— For support of California Coastal Commission, to be transferred to Item 3720-001-001, payable from special federal funds disbursed pursuant to the federal Coastal Zone Management Act of 1972, as amended (16 U.S.C. Sec. 1451 et seq.) and deposited in the Federal Trust Fund..... 1,021,000

Provision:

1. Federal Coastal Energy Impact Program funds for local assistance grants shall be expended in accordance with federal law.
2. Pursuant to the terms of the grant made pursuant to federal Coastal Zone Management Act of 1972, 22% of the federal Coastal Zone Management Act funds amounting to $181,000 shall be reserved to make "significant improvements" to the state's coastal resource management program.
3. Six hundred forty-one thousand dollars ($641,000) of the federal Coastal Zone Management Act funds appropriated in this item shall be encumbered by the commission for staff whose primary responsibility involves assisting in the preparation of, reviewing and approving, and assisting the commission in the certification of, all local coastal programs. In assigning particular staff responsibility, the commission shall assign staff to those areas where the completion of the processing of particular local coastal pro-

grams will have the greatest effect on the conservation and management of coastal resources. These areas include, but are not limited to, County of Mendocino, the Big Sur (County of Monterey), Malibu-Santa Monica Mountains (County of Los Angeles), Ballona (County of Los Angeles), County of San Diego, City of San Diego, and City of Chula Vista.

4. Pursuant to the federal Coastal Energy Impact Program, $90,000 of the Coastal Energy Impact Program funds shall be made available to the commission to add two positions to its staff to handle the increasing energy regulation workload.
5. If all of the federal funds appropriated by this item are made available to the commission to carry out its mandated responsibilities, Item 3720-001-890 is repealed. This repeal shall be retroactive to July 21, 1983.

SEC. 4. Section 18.30 is added to the Budget Act of 1983, to read:

Sec. 18.30. Funds appropriated in Item 3720-101-001 and in category (q) of Item 9680-101-001 and any federal funds available to the California Coastal Commission for local assistance may be encumbered by the commission as local assistance for any supplemental study suggested by the commission as a modification of a local coastal program. That study may include, but is not limited to, public service facilities and coastal erosion programs.

CHAPTER 1309

An act to amend Sections 34212, 34213.5, 34312.3, 34315, 34316.5, 34322, 34350, 34352, 34353, 34354, 34356, 34362, 34364, and 37912 of, and to add Sections 34213.1, 34213.6, 34350.5, 34366.5, 34372, 34373, 34374, and 34375 to, the Health and Safety Code, relating to housing.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 34212 of the Health and Safety Code is amended to read:

34212. "Housing project" means any work or undertaking to be financed in whole or in part by the federal government or a state public body or to which the federal government or a state public body extends assistance by supplying all or part of the labor, by guaranteeing the payment of liens, by providing financing through

the issuance of its debt obligations, or otherwise, for any one or a combination of the following purposes:

(a) To demolish, clear, or remove buildings from any slum area. Such work or undertaking may embrace the adaptation of the area to public purposes, including parks or other recreational or community purposes.

(b) To provide decent, safe, and sanitary urban or rural dwellings, apartments, or other living accommodations for persons of low income and persons and households eligible for housing assistance pursuant to Section 34312.3. Such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient, or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare, or other purposes.

"Housing projects" also includes the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration, and repair of the improvements, and all other work in connection therewith.

For the purposes of this section, "state public body" means the state, any city, county, city and county, borough, commission, district, authority, or other subdivision or public body of the state, including any housing authority.

SEC. 2. Section 34213.1 is added to the Health and Safety Code, to read:

34213.1. "Construction loan" means a short-term loan secured by real property, made for costs incurred in construction or rehabilitation of a housing project.

SEC. 3. Section 34213.5 of the Health and Safety Code is amended to read:

34213.5. "Tenant" means a person lawfully residing in rental housing provided by or through an authority, including persons residing in leased housing.

A person residing in leased housing is not a tenant of any authority other than the authority contracting with the owner, or the owner if the owner is an authority.

SEC. 4. Section 34213.6 is added to the Health and Safety Code, to read:

34213.6. "Mortgage loan" means a long-term loan which is secured by a mortgage and is made for permanent financing, including refinancing of existing mortgage obligations as authorized by a resolution of the authority of a housing project.

SEC. 5. Section 34312.3 of the Health and Safety Code is amended to read:

34312.3. (a) Subject to the requirements of subdivisions (c) and (d) and of Article 5 (commencing with Section 34350), an authority may do any of the following:

(1) Issue revenue bonds for the purpose of financing the construction or development of multifamily rental housing and for

the provision of capital improvements in connection with and determined necessary to such multifamily rental housing.

(2) Make or undertake commitments to make construction loans and mortgage loans to finance the development of multifamily rental housing.

(3) Purchase or undertake, directly or indirectly through lending institutions, commitments to purchase, construction loans, and mortgage loans originated in accordance with a financing agreement with the authority to finance the development of multifamily rental housing or make loans to lending institutions under terms and conditions which, in addition to other provisions determined by the authority, shall require the lending institutions to use the net proceeds of the loans for the making, directly or indirectly, of construction loans or mortgage loans to finance the development of multifamily rental housing.

(b) An authority may develop, rehabilitate, or finance housing projects or participate in the development, rehabilitation, or financing of housing projects; or purchase, sell, lease, own, operate, or manage housing projects so assisted, subject to all of the requirements of subdivisions (c) and (d).

So long as the proceeds of any sale, lease, or other disposition of real property, net of the cost of sale, is to be used directly to assist a housing project pursuant to this section for persons of low income, an authority may, after a public hearing, sell, lease, or otherwise dispose of the real property without complying with any provision of law concerning disposition of surplus property, including but not limited to, Sections 34315.5 and 34315.7.

(c) (1) For the periods required by Section 103 (b) (12) (B) of the Internal Revenue Code of 1954, as amended, not less than 20 percent of all units in housing projects assisted by an authority pursuant to this section shall be available for occupancy on a priority basis to low-income households. In the case of housing projects located within a targeted area, as defined by Section 1103 (b) of the Mortgage Subsidy Bond Tax Act of 1980, not less than 15 percent of all units in such housing projects assisted pursuant to this section shall be for occupancy on a priority basis by low-income households.

(2) To the extent economically feasible, as determined in the sole discretion of the authority, whose determination shall be final and conclusive, half of the units described in paragraph (1) of subdivision (c) above shall be for occupancy on a priority basis by individuals and families whose adjusted gross income does not exceed 50 percent of the median adjusted gross income for the area, as median adjusted gross income may, from time to time, be determined pursuant to Section 8 of the United States Housing Act of 1937. In determining the economic feasibility of meeting this requirement, the authority shall consider (i) the availability of rent subsidies or other financial aid from federal, state, or local government; (ii) the ability to secure density bonuses, reductions in land use requirements, expedited processing, or other procedural incentives from local government;

and (iii) the ability to obtain a reduction in rents to the fair market rent level or below for existing housing pursuant to Section 8 of the United States Housing Act of 1937 or a successor federal program (the "Section 8 program") in units to be occupied by very low income households by imposing higher rents in other units.

(3) Any indebtedness incurred pursuant to a mortgage loan financed under the terms of this chapter shall be subject to acceleration and the balance owing declared immediately due and payable upon any sale of an owner-occupied residence to a purchaser who does not meet the required qualifications for borrowers as established by the authority.

(4) The authority shall require the owners of housing projects assisted pursuant to this section to accept as tenants, on the same basis as all other prospective tenants, in the units reserved for very low income households, any very low income households who are recipients of federal certificates for rent subsidies pursuant to the existing program under Section 8 of the United States Housing Act of 1937 or its successor. The authority shall not permit a selection criteria to be applied to Section 8 certificate holders that is any more burdensome than the criteria applied to all other prospective tenants.

(5) No resident in housing units assisted pursuant to this section shall be denied continued occupancy or ownership because, after admission, the resident's family income increases to exceed the eligibility level. However, the authority shall ensure that percentage requirements of this section shall continue to be met by providing the next available unit or units to persons of low income or by taking other actions to satisfy the percentage requirements of this section.

(6) In determining whether the percentage requirements of subdivision (c) have been achieved, the following terms and conditions shall be applied:

(A) The requirement that 20 percent or 15 percent, as the case may be, of the housing units assisted by an authority pursuant to this section shall be available on a priority basis to, or occupied by, households whose adjusted gross income does not exceed the applicable limits prescribed by subdivision (c) shall apply to the aggregate number of units assisted by an authority pursuant to this section.

(B) The provisions of this section shall apply only to housing units first assisted after January 1, 1983, and the percentage requirements of subdivision (c) shall be complied with by January 1, 1986, and on January 1 of each even-numbered year thereafter.

(C) The percentage requirements of subdivision (c) shall be achieved within each of the following categories: (1) rental housing developments; (2) homeownership developments; and (3) rehabilitation financing. Housing units provided by rehabilitation financing shall not be counted within either of the first two categories.

(d) It is the intent of the Legislature, and the Legislature declares,

that housing authorities are the local entities with primary responsibility for providing housing for low-income and very low income households within their jurisdictions. However, recognizing that housing projects only for low-income households cannot be adequately assisted or developed with currently available funds, and that excess funds from housing projects assisted pursuant to this section can be utilized to further assist in the provision of housing for lower-income households, it is the intent of the Legislature that the authorization of this section is to be used to enhance and supplement the traditional housing authority role of providing housing only for low-income households.

SEC. 6. Section 34315 of the Health and Safety Code is amended to read:

34315. An authority may:

(a) Lease or rent any dwellings, houses, accommodations, lands, buildings, structures, or facilities embraced in any housing project, or a project assisted pursuant to Section 34312.3, and establish and revise the rents or charges for them.

(b) Own, hold, and improve real or personal property.

(c) Purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property or any interest in property.

(d) Acquire any real property by eminent domain.

(e) Sell, lease, exchange, transfer, assign, pledge, or dispose of any real or personal property or any interest in it.

(f) Insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards.

(g) Lend upon the security of a mortgage or deed of trust, directly or by purchase from one or more qualified mortgage lenders, in connection with the sale of real property to persons of low income and to other persons pursuant to Section 34312.3, moneys for the financing of construction or rehabilitation pursuant to this part, or the implementation of government housing and rehabilitation financing programs for persons of low income and for other persons when acting pursuant to authorization contained in Section 34312.3, Part 13 (commencing with Section 37910) of this division, or Part 3 (commencing with Section 50900) of Division 31, subject only to the limitations on income of borrowers or residents prescribed by the statutory provisions under which the authority is acting. With respect to financing activities conducted pursuant to Part 3 (commencing with Section 50900) or Part 4 (commencing with Section 51600) of Division 31, the authority shall obtain certification as a qualified mortgage lender pursuant to Section 50094.

(h) Procure insurance or guarantees from the federal government or the California Housing Finance Agency or from any person licensed to insure mortgages in this state of the payment of all or part of any debts, whether or not incurred by the authority, secured by mortgages or deeds of trust on any property included in any of its housing projects or otherwise financed pursuant to this

chapter or secured by mortgages or deeds of trust pursuant to Part 13 (commencing with Section 37910) of this division or Part 3 (commencing with Section 50900) of Division 31.

SEC. 7. Section 34316.5 of the Health and Safety Code is amended to read:

34316.5. The proceeds of bonds issued pursuant to this part to finance housing as provided in subdivision (d) of Section 34312, Section 34312.3, and subdivision (g) of Section 34315 and revenues accruing to the authority on account of such a program may be invested in any securities or obligations authorized by the resolution providing for issuance of the bonds or authorized by its trust indenture, when the bond proceeds or revenues are not immediately required to provide financing under the program. Such investments may include mortgage obligations on single-family dwellings purchased from a state or federally chartered bank or savings and loan association pursuant to a repurchase agreement under which the bank or savings and loan association will repurchase the mortgage obligation on or before a specified date and for a specified amount, provided that the mortgage or the repurchase agreement shall be insured by a mortgage insurance company licensed to insure mortgages in the State of California and qualified to provide insurance on mortgages purchased by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

The authority provided in this section is additional and alternative to any other authorization for investment contained in this part or other provisions of law.

SEC. 8. Section 34322 of the Health and Safety Code is amended to read:

34322. Except as provided by Section 34312.3, in the operation or management of housing projects, an authority shall:

(a) Rent or lease the dwelling accommodations only to persons of low income and only at rentals within their financial reach.

(b) Rent or lease to a tenant dwelling accommodations consisting of the number of rooms which it deems necessary to provide safe and sanitary accommodations to the occupants, without overcrowding.

(c) Fix income limits for occupancy and rents after taking into consideration (1) the family size, composition, age, physical handicaps, and other factors which might affect the rent-paying ability of the person, and (2) the economic factors which affect the financial stability and solvency of the project.

(d) Prohibit subletting by tenants.

SEC. 9. Section 34350 of the Health and Safety Code is amended to read:

34350. An authority shall have the following powers:

(a) To issue bonds for any of its corporate purposes.

(b) To sell or otherwise dispose of any mortgage loans, in whole or in part, or to loan sufficient funds to any person to defray, in whole or in part, the costs of purchasing mortgage loans, so that the

revenues and receipts to be derived with respect to the loans, together with any insurance proceeds, reserve accounts, and earnings thereon, shall be designed to produce revenues and receipts at least sufficient to provide for the prompt payment at maturity of principal, interest, and redemption premiums, if any, upon all bonds issued to finance such costs.

(c) To pledge any revenues and receipts to be received from or with respect to any mortgage loans or loans made to lending institutions pursuant to this chapter to the punctual payment of bonds authorized under this chapter, and the interest and redemption premiums, if any, thereon.

(d) To mortgage, pledge, assign, or grant security interests in any mortgage loans, notes, loans made to lending institutions pursuant to this chapter, or other property in favor of the holder or holders of bonds issued therefor or of the trustee for such holder or holders.

(e) To sell and convey any mortgage loans, or loans made to lending institutions pursuant to this chapter, for such prices and at such times as the authority may determine.

(f) To issue its bonds to refund previously issued bonds in whole or in part at any time.

(g) To make and execute contracts and other instruments necessary or convenient to the exercise of any of the powers granted in this chapter.

SEC. 10. Section 34350.5 is added to the Health and Safety Code, to read:

34350.5. The exercise of any or all powers granted by this chapter shall be authorized and the bonds shall be authorized to be issued under this chapter for the purposes set forth in this chapter, by resolution of the authority which shall set forth a finding and declaration (1) of the public purpose therefor and (2) that such resolution is being adopted pursuant to the powers granted by this chapter. The finding and declaration shall be conclusive evidence of the existence and sufficiency of the public purpose and powers.

SEC. 11. Section 34352 of the Health and Safety Code is amended to read:

34352. (a) Any of the bonds may be additionally secured by a pledge of any revenues or a mortgage of any housing project or other property of the authority.

(b) Any pledge made to secure bonds shall be valid and binding from the time when the pledge is made. The revenues and receipts or property or interests in the property pledged and thereafter received by the authority, a trustee, or custodian shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against such authority, trustee, or custodian, irrespective of whether the parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

SEC. 12. Section 34353 of the Health and Safety Code is amended to read:

34353. Neither the commissioners of an authority nor any person executing the bonds are liable personally on the bonds or subject to any personal liability or accountability by reason of their issuance. The bonds and other obligations of an authority are not a debt of the city, county, state, or any of its political subdivisions and neither are they liable on the bonds, nor are the bonds or obligations payable out of any funds or properties other than those of the authority pledges for the payment thereof; and the bonds shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation.

SEC. 13. Section 34354 of the Health and Safety Code is amended to read:

34354. By resolution, an authority may authorize the issuance of its bonds which may be taxable or nontaxable. The resolution, its trust indenture, or mortgage may provide for:

(a) The issuance of bonds in one or more series.

(b) The date the bonds shall bear.

(c) The date of maturity, not exceeding 45 years from their respective dates.

(d) The interest rate, not exceeding 12 percent a year.

(e) The denomination of the bonds.

(f) The form of the bonds, either coupon or registered, as permitted by law.

(g) The conversion or registration privileges which the bonds shall carry.

(h) The rank or priority of the bonds.

(i) The manner of execution of the bonds.

(j) The medium of payment in which the bonds are payable.

(k) The place of payment.

(*l*) The terms of redemption, with or without premium.

SEC. 14. Section 34356 of the Health and Safety Code is amended to read:

34356. The bonds shall bear the manual or facsimile signatures of such authority commissioner or officer as may be designated in the resolution authorizing the bonds and such signatures shall be the valid and binding signatures of such commissioner or officer, notwithstanding that before the delivery thereof and payment therefor any or all of the persons whose signatures appear thereon have ceased to be commissioner or officer of the authority. The validity of the bonds shall not be dependent on, nor affected by, the validity or regularity of any proceedings relating to any mortgage loans or housing projects for which the bonds are issued. The resolution authorizing the bonds may provide that the bonds shall contain a recital that they are issued pursuant to this chapter and the recital shall be conclusive evidence of their validity and of the regularity of their issuance. Bonds issued pursuant to this chapter are fully negotiable.

SEC. 15. Section 34362 of the Health and Safety Code is amended to read:

34362. An authority may prescribe procedure by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds whose holders are required to consent, and the manner in which consent may be given. The provisions of this chapter and any resolution and any mortgage, pledge, assignment, security interest, insurance agreement, or indenture of trust shall constitute a contract with the holder or holders of the bonds and continue in effect until the principal of, the interest on, and the redemption premiums, if any, on the bonds so issued have been fully paid or provision made therefor, and the duties of the authority and its officers under this chapter and any resolution and any mortgage, pledge, assignment, security interest, insurance agreement, or indenture of trust shall be enforceable as provided therein by any bondholder by mandamus, foreclosure of any such mortgage, pledge, assignment, security interest, insurance agreement, or indenture of trust, or other appropriate suit, action, or proceeding in any court of competent jurisdiction; provided, the resolution or any mortgage, pledge, assignment, security interest, insurance agreement, or indenture of trust under which the bonds are issued may provide that all such remedies and rights to enforcement may be vested in a trustee (with full power of appointment) for the benefit of all the bondholders, and that the trustee shall be subject to the control of such number of holders or owners of any outstanding bonds as specified in the resolution.

SEC. 16. Section 34364 of the Health and Safety Code is amended to read:

34364. An authority may:

(a) Appoint one or more banks or trust companies within or outside the state having the necessary trust powers as trustee, custodian, or trustee and custodian for the benefit of the bondholders, paying agent, or bond registrar.

(b) Vest in a trustee or the holders of bonds or any proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds.

(c) Vest in a trustee the right, in the event of a default by the authority, to take possession and use, operate, and manage all or part of any housing project, and to collect and dispose of the rents and revenues arising from it pursuant to the agreement of the authority with the trustee.

(d) Provide for the powers and duties of a trustee and limit his liabilities.

(e) Provide the terms and conditions upon which the trustee or the holders of bonds or any proportion of them may enforce any covenant or rights securing or relating to the bonds.

SEC. 17. Section 34366.5 is added to the Health and Safety Code, to read:

34366.5. An action may be brought pursuant to Chapter 9

(commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure to determine the validity of any bonds issued pursuant to Article 5 (commencing with Section 34350) and the legality and validity of all proceedings previously taken and (as provided in the bond resolution) proposed to be taken for the authorization, issuance, sale, and delivery of the bonds and for the payment of the principal thereof and interest thereon.

SEC. 18. Section 34372 is added to the Health and Safety Code, to read:

34372. An authority may provide for the issuance of bonds of the authority for the purpose of refunding any bonds of the authority then outstanding, including the payment of any redemption premiums thereof and any interest accrued or to accrue to the earliest or subsequent date of redemption, purchase, or maturity of such bonds, and, if deemed advisable by the authority, for the additional purpose of paying all or any part of the cost of additional construction.

The proceeds of bonds issued pursuant to this section may, in the discretion of the authority, be applied to the purchase or retirement at maturity or redemption of outstanding bonds, either at their earliest or any subsequent redemption date or upon the purchase or retirement at the maturity thereof and, pending such application, that portion of the proceeds allocated for such purpose may be placed in escrow, to be applied to such purchase or retirement at maturity or redemption on such date, as may be determined by the authority. Pending use for purchase, retirement at maturity, or redemption of outstanding bonds, any proceeds held in such an escrow may be invested and reinvested as provided in the resolution authorizing the issuance of the refunding bonds. Any interest or other increment earned or realized on any such investment may also be applied to the payment of the outstanding bonds to be refunded. After the terms of the escrow have been fully satisfied and carried out, any balance of such proceeds and any interest or increment earned or realized from the investment thereof may be returned to the authority to be used by it for any lawful purpose under this chapter. That portion of the proceeds of any bonds issued pursuant to this section which is designated for the purpose of paying all or any part of the cost of additional construction may be invested and reinvested in obligations of, or guaranteed by, the United States of America or in certificates of deposit or time deposits secured by obligations of, or guaranteed by, the United States of America, maturing not later than the time or times which such proceeds will be needed for the purpose of paying all or any part of such costs.

All bonds issued pursuant to this section shall be subject to the provisions of this chapter in the same manner and to the same extent as other bonds issued pursuant to this chapter.

SEC. 19. Section 34373 is added to the Health and Safety Code, to read:

34373. An authority which has issued bonds pursuant to this

chapter or any trustee or custodian on behalf of the authority may invest any funds held by it as provided in the resolution authorizing the issuance of the bonds.

SEC. 20. Section 34374 is added to the Health and Safety Code, to read:

34374. Investments under Section 34373 may include mortgage obligations on single-family dwellings purchased from a state or federally chartered savings and loan association pursuant to a repurchase agreement under which the bank or savings and loan association will repurchase the mortgage obligation on or before a specified date and for a specified amount, provided that the mortgage or the repurchase agreement shall be insured by a mortgage insurance company licensed to insure mortgages in the state and qualified to provide insurance on mortgages purchased by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

The authority provided in this section and Section 34373 is additional and alternative to any other authorization for investment contained in this chapter, including Section 34372, or in other provisions of law.

SEC. 21. Section 34375 is added to the Health and Safety Code, to read:

34375. All moneys received pursuant to the provisions of this chapter, whether revenues or proceeds from the sale of bonds or proceeds of insurance or guarantee claims, shall be deemed to be trust funds to be held and applied solely for the purpose of this chapter. Any bank or trust company in which such moneys are deposited shall act as trustee of such moneys and shall hold and apply the same for the purposes specified in this chapter, subject to the terms of the resolution authorizing the bonds.

SEC. 22. Section 37912 of the Health and Safety Code, as amended by Chapter 478 of the Statutes of 1983, is amended to read:

37912. Unless the context otherwise requires, the following definitions shall govern the construction of this part:

(a) "Bonds" means any bonds, notes, interim certificates, debentures, or other obligations issued by a local agency pursuant to this part and which are payable exclusively from the revenues, as defined in subdivision (k), and from any other funds specified in this part upon which the bonds may be made a charge and from which they are payable.

(b) "Citizen participation" means action by the local agency to provide persons who will be affected by residential rehabilitation financed under the provisions of this part with opportunities to be involved in planning and carrying out the residential rehabilitation program. "Citizen participation" shall include, but not be limited to, all of the following and in the order provided below:

(1) Holding a public meeting prior to the original hearing by the legislative body for the purpose of considering selection of the area for designation and determining the method of notice to property

owners which will be used pursuant to paragraph (3).

(2) Consultation with an elected or appointed citizen advisory board of a proposed residential rehabilitation area. The members of the board shall include, to the greatest extent feasible, representatives of resident owners, nonresident owners, and resident tenants of both single-family and multiple-family residential structures who are not apartment managers, resident agents, or employees of property owners. The duties of the board are to develop a plan for public improvements and the rules and regulations for implementation of the proposed residential rehabilitation program.

(3) Dissemination of information relating to the time and location of the hearing, boundaries of the proposed residential rehabilitation area, and a general description of the proposed residential rehabilitation program by one of the following methods as determined by the legislative body at the public meeting provided in paragraph (1):

(A) At least seven days prior to the original hearing, by mailing to all real property owners within the proposed residential rehabilitation area at the address shown on the latest assessment roll and by distribution to residents of the proposed residential rehabilitation area in a manner determined to be appropriate by the local agency.

(B) After express findings by the legislative body at the public meeting provided in paragraph (1) at lower expense and effective notice at least equal to the mailed and distributed notice provided in subparagraph (A), by a method determined by the legislative body which includes, but is not limited to, publication of such notice pursuant to Section 6066 of the Government Code and posting of such notice at no less than three prominent places within the proposed residential redevelopment area and distribution to residents of the proposed residential rehabilitation area in a manner determined to be appropriate by the local agency.

"Citizen participation" also includes any other means of citizen involvement determined appropriate by the legislative body.

Public meetings and consultations held to implement the requirements of citizen participation shall be conducted by a planning or rehabilitation official designated by the legislative body. Public meetings shall be held at times and places convenient to residents and property owners.

(c) "Financing" means the lending of moneys or any other thing of value, or the purchase of a loan previously made by a qualified mortgage lender in accordance with rules and regulations of the local agency, for the purpose of residential rehabilitation and may, in the discretion of the legislative body, include any or all of the following:

(1) Refinancing of outstanding indebtedness of the participating party with respect to property which is subject to residential rehabilitation by such participating party.

(2) Financing or refinancing the cost incurred by a participating

party in acquiring real property for the purpose of residential rehabilitation, including residential infill construction and move-on residences.

(3) Financing the acquisition of residences within a residential rehabilitation area which have been previously rehabilitated or constructed with financing pursuant to this part.

(d) "Legislative body" means the city council, board of supervisors, or other legislative body of the local agency.

(e) "Local agency" means any of the following:

(1) Any city, county, or city and county.

(2) Any redevelopment agency functioning pursuant to Part 1 (commencing with Section 33000).

(3) Any housing authority functioning pursuant to Part 2 (commencing with Section 34200).

(f) "Move-on residence" means a previously occupied single family or multifamily residential structure moved from a location to a vacant lot inside a residential rehabilitation area, or outside a residential rehabilitation area if the single-family or multifamily residential structure is for occupancy for persons or families of low or moderate income.

(g) "Participating party" means any person, company, corporation, partnership, firm, local agency, political subdivision of the state, or other entity or group of entities requiring financing for residential rehabilitation pursuant to the provisions of this part. No elective officer of the state or any of its political subdivisions and no employee or member of the agency issuing bonds shall be eligible to be a participating party under the provision of this part.

(h) "Qualified mortgage lender" means a mortgage lender authorized by a local agency to do business with the agency and to aid in financing pursuant to this part on behalf of the agency, for which service the qualified mortgage lender will be reasonably compensated. Such a mortgage lender shall be a state or national bank, federal or state-chartered savings and loan association, or trust company or mortgage banker which is capable of providing service or otherwise aiding in the financing authorized by this part. Nothing in any other provision of state law shall prevent such a lender from serving as a qualified mortgage lender pursuant to this part.

(i) "Residential rehabilitation" includes the following:

(1) The construction, reconstruction, renovation, replacement, extension, repair, betterment, equipping, developing, embellishing, or otherwise improving residences consistent with standards of strength, effectiveness, fire resistance, durability, and safety, so that such structures are satisfactory and safe to occupy for residential purposes and are not conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime because of any one or more of the following factors:

(A) Defective design and character of physical construction.

(B) Faulty interior arrangement and exterior spacing.

(C) Inadequate provision for ventilation, lighting, and sanitation.

(D) Obsolescence, deterioration, and dilapidation.

(2) Residential infill construction, where authorized by the comprehensive residential rehabilitation financing program.

(3) A qualified home improvement loan, which has the same meaning as Section 103 (A) of the Federal Internal Revenue Code of 1954, as amended by Public Law 96-499, December 5, 1980.

(4) With respect to a move-on residence, where authorized by the comprehensive residential rehabilitation financing program, the acquisition prior to relocation of, movement of, installation of, and rehabilitation of, a move-on residence and purchase of a move-on residence that has previously been rehabilitated with financing under this part.

(5) Acquisition of real property for the purpose of rehabilitation or residential infill construction pursuant to paragraph (1), (2), or (4), if authorized by the comprehensive residential rehabilitation financing program.

(6) Purchase of residences within a residential rehabilitation area which have been previously rehabilitated or constructed with financing under this part, if authorized by the comprehensive residential rehabilitation financing program.

(7) Relocation payments required or authorized by Section 37922.2 or by Section 7265.3 of the Government Code in connection with rehabilitation of a residence financed pursuant to this part, or in connection with demolition of a structure for the purpose of making land available for residential infill construction financed pursuant to this part. The cost of relocation payments may be included in the principal amount of a loan made to a participating party or may be paid directly from bond proceeds.

(j) "Residential infill construction" means the construction of new single-family or multifamily residences, excluding commercial or mixed residential and commercial structures and residential hotels, on vacant lots in residential rehabilitation areas, including lots cleared by demolition of an existing structure. However, the cost of demolition of existing structures shall not be eligible for financing under this part, and it is the intent of the Legislature that local agencies shall adopt lending policies and criteria which will encourage rehabilitation of existing residences in residential rehabilitation areas wherever possible.

(k) "Residence" means real property improved with a residential structure and, in residential rehabilitation areas only, also includes real property improved with a commercial or mixed residential and commercial structure which, in the judgment of the local agency, is an integral part of a residential neighborhood. "Residence" also includes condominium and cooperative dwelling units, and includes both real property improved with single-family residential structures and real property improved with multiple-family residential structures.

"Residence" also includes residential hotels in which not less than one-half of the occupied dwelling units are occupied on a

nontransient basis. A dwelling unit shall be deemed to be used on a nontransient basis for such purpose if the term of the tenancy is one month or longer or if the tenant has resided in the unit for more than 30 days. In a residential hotel, individual dwelling units shall lack either cooking facilities or individual sanitary facilities, or both. However, for purposes of this subdivision, a residential hotel does not include dormitories, fraternity and sorority houses, hospitals, sanitariums, rest homes, or trailer parks and courts.

(*l*) "Rehabilitation standards" means the applicable local or state standards for the rehabilitation of residences located in residential rehabilitation areas or rehabilitated pursuant to Section 37922.1, including any higher standards adopted by the local agency as part of its residential rehabilitation financing program.

(m) "Revenues" means all amounts received as repayment of principal, interest, and all other charges received for, and all other income and receipts derived by, the local agency from the financing of residential rehabilitation, including moneys deposited in a sinking, redemption, or reserve fund or other fund to secure the bonds or to provide for the payment of the principal of, or interest on, the bonds and such other moneys as the legislative body may, in its discretion, make available therefor.

(n) "Residential rehabilitation area" means the geographical area designated by the local agency as one for inclusion in a comprehensive residential rehabilitation financing program pursuant to the provisions of this part.

CHAPTER 1310

An act to amend Sections 13960, 13961, 13961.1, 13961.2, 13961.3, 13962, 13962.5, 13963, 13964, 13965, 13968, and 13969.1, as added by Chapter 1122 of the Statutes of 1977 of, to amend and renumber Section 13961.5 of, and to repeal Section 13969.1, as added by Chapter 521 of the Statutes of 1977 of, the Government Code, relating to victims of crime.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983]

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

SECTION 1. Section 13960 of the Government Code is amended to read:

13960. As used in this article:

(a) "Victim" shall mean any of the following residents of the State of California, or military personnel and their families stationed in California:

(1) A person who sustains injury or death as a direct result of a crime.

(2) Anyone legally dependent for support upon a person who sustains injury or death as a direct result of a crime.

(3) Any member of the family of a victim specified by paragraph (1) or any person in close relationship to such a victim, if that member or person was present during the actual commission of the crime, or any member or person herein described whose treatment or presence during treatment of the victim is medically required for the successful treatment of the victim.

(4) In the event of a death caused by a crime, any individual who legally assumes the obligation, or who voluntarily pays the medical or burial expenses incurred as a direct result thereof.

(b) "Injury" shall include physical or emotional injury, or both. However, this article shall not be construed to apply to emotional injury unless such an injury is incurred by a person who also sustains physical injury or threat of physical injury or by a member or person as defined in paragraph (3) of subdivision (a).

(c) "Crime" shall mean a crime or public offense as defined in Section 15 of the Penal Code which results in injury to a resident of this state, including such a crime or public offense, wherever it may take place, when the resident is temporarily absent from the state. No act involving the operation of a motor vehicle, aircraft, or water vehicle which results in injury or death shall constitute a crime for the purposes of this article, except that a crime shall include any of the following:

(1) Injury or death intentionally inflicted through the use of a motor vehicle, aircraft, or water vehicle.

(2) Injury or death caused by a driver in violation of Section 20001, 23152, or 23153 of the Vehicle Code.

(3) Injury or death caused by a driver of a motor vehicle in the immediate act of fleeing the scene of a crime in which he knowingly and willingly participated.

(d) "Pecuniary loss" shall mean any expenses for which the victim has not and will not be reimbursed from any other source. Losses shall include all of the following:

(1) The amount of medical or medical related expense, including psychological or psychiatric expenses, and including, but not limited to, eyeglasses, hearing aids, dentures, or any prosthetic device taken, lost, or destroyed during the commission of the crime, or the use of which became necessary as a direct result of the crime.

(2) The loss of income or support that the victim has incurred or will incur as a direct result of an injury or death in an amount of more than one hundred dollars ($100) or equal to 20 percent or more of the victims' net monthly income, whichever is less, except that in the case of persons on fixed incomes from retirement or disability who apply for assistance under this article, there shall be no minimum loss requirement.

(3) Pecuniary loss also includes nonmedical remedial care and treatment rendered in accordance with a religious method of healing recognized by state law.

(e) "Board" shall mean the State Board of Control.

(f) "Victim centers" shall mean those centers as specified in Section 13835.2 of the Penal Code.

SEC. 2. Section 13961 of the Government Code is amended to read:

13961. (a) A victim of a crime may file an application for assistance with the board.

(b) The board shall supply and make available an application form for this purpose. The form shall be in one part, in laymen's terms, and shall be accompanied by information including, but not limited to, the following:

(1) The eligibility of applicants, the types of claims covered and the maximum amount payable for such claims.

(2) Information explaining the procedure to be used to evaluate an applicant's claims.

(3) Other information pertinent to the applicant as deemed necessary by the board.

(4) Information about the existence and location of local victim centers.

(c) The period prescribed for the filing of an application for assistance shall be one year after the date of the crime, unless an extension is granted by the board, except that such period may be extended by the board for good cause shown by the victim.

(d) The application for assistance shall be verified and shall contain the following:

(1) A description of the date, nature, and circumstances of the crime or public offense.

(2) A complete financial statement including but not limited to the cost of medical care or burial expense and the loss of wages or support the victim has incurred or will incur and the extent to which the victim has been or will be indemnified for these expenses from any source.

(3) When appropriate, a statement indicating the extent of any disability resulting from the injury incurred.

(4) An authorization permitting the board or a local victim center, or both, to verify the contents of the application.

(5) Such other information as the board may require.

SEC. 3. Section 13961.1 of the Government Code is amended to read:

13961.1. (a) An emergency award shall be available for a victim of a crime if any of the following occur as a result of the crime:

(1) The victim incurs loss of income or support.

(2) The victim requires emergency medical treatment.

(b) Emergency award application forms shall be provided by the board upon request of the applicant. The board shall make available the application forms through all means at its disposal.

(c) The board may grant an emergency award based solely on the application of the victim. Disbursements of emergency awards funds shall be made within 30 business days of application. The board may

refuse to grant an emergency award where it has reason to believe that the applicant will not qualify for an award for assistance under this article. The board may delegate authority to designated staff persons, who will use guidelines established by the board, to grant emergency awards. By mutual agreement between the staff of the board and the applicant or the applicant's representative, the staff of the board or the victim's representative may take additional 10-day periods to verify the emergency award claim and make payment.

(d) If the applicant does not complete the application for a grant or, if, upon final disposition of the victim's claim under this article, it is found that the victim is not eligible for assistance from the board, the victim shall reimburse the board for the emergency award pursuant to an agreed upon repayment schedule. If upon final disposition of the victim's application, the board grants assistance to the claimant, the amount of the emergency award shall be deducted from the final award of compensation granted to the victim; and, if the amount of the grant is less than the amount of the emergency award, the excess amount shall be repaid according to an agreed upon repayment schedule. Final disposition for the purposes of this section shall mean the final decision of the board with respect to the victim's application for assistance, before any appellate action is instituted. If an application for an emergency award is denied, the board shall notify the applicant in writing of the reasons for denial.

(e) The amount of the emergency award shall be dependent upon the immediate needs of the victim, as evidenced by the victim's loss of income or support and losses incurred as a direct result of the crime before filing or reasonably anticipated during the first 90 days after the initial filing of an application. In no event shall the amount of the emergency award exceed one thousand dollars ($1,000).

(f) The emergency award application shall require only the following:

(1) The name, address, and telephone number of the victim.

(2) A brief description of the nature and circumstances of the crime, including the date and location.

(3) The date the crime was reported to a law enforcement agency and the name and address of such agency.

(4) The name, address, and telephone number of the employer or self-employing entity, the loss of income or support to date and estimate of future loss.

(5) The nature of the injury and the name, address, and telephone number of medical providers and the cost of medical care incurred to date.

(6) A statement that in the event the victim is denied assistance under this article or the final award is less than the emergency award, the applicant will be required to repay the excess amount.

(7) The applicant's signature and a statement that the victim was a resident of the state on the date of the crime and that the information is supplied under penalty of perjury, violation of which is punishable by six months in the county jail.

(8) The board shall report to the Legislature in 1984 on the advances which became uncollectable in 1982 and 1983.

This section shall remain in effect only until January 1, 1985, and as of such date is repealed, unless a later enacted statute, which is chaptered before January 1, 1985, deletes or extends such date.

SEC. 4. Section 13961.2 of the Government Code is amended to read:

13961.2. A sum not to exceed 15 percent of the amount appropriated annually to pay victims of crimes may be withdrawn from the Restitution Fund, to be used as a revolving fund by the board for the payment of emergency awards made pursuant to Section 13961.1.

SEC. 5. Section 13961.3 of the Government Code is amended to read:

13961.3. A Victim Compensation Form Committee shall be established by the board to develop or revise, or both, the application form described in this article. The committee shall consist of one representative from and appointed by the board and two representatives from local victim centers appointed by the executive director of the Office of Criminal Justice Planning.

SEC. 6. Section 13961.5 of the Government Code is amended and renumbered to read:

13968.1. No costs incurred by a hospital or other emergency medical facility for the examination of the victim of a sexual assault, when such an examination is performed for the purposes of gathering evidence for possible prosecution, shall be charged directly or indirectly to the victim of such assault. Those costs shall be treated as local costs and charged to the appropriate local governmental agency as follows:

(a) If the treatment or services are provided at a county or city hospital, or hospital district facility, the county shall pay the expenses.

(b) If the treatment or services are performed at a private hospital, the expenses shall be paid by the local governmental agency in whose jurisdiction the alleged offense was committed.

SEC. 7. Section 13962 of the Government Code is amended to read:

13962. (a) The staff of the board shall appoint a clerk to review all applications for assistance in order to insure that they are complete. If the application is not complete, it shall be returned to the victim with a brief statement of the additional information required. The victim, within 30 days of receipt thereof, may either supply the additional information or appeal such action to the board which shall review the application to determine whether or not it is complete.

(b) If the application is accepted, it shall be verified promptly by the staff of the board. The verification process shall include sending supplemental forms to all hospitals, physicians, law enforcement officials and other interested parties involved, verifying the treatment of the victim, circumstances of the crime, amounts paid or

received by or for the victim and other pertinent information as may be deemed necessary by the board. Verification forms shall be provided by the board and shall be returned to the board within 10 business days. The board shall include on the verification forms reference to this section with respect to the prompt return of the verification forms. The board, thereupon, shall consider the application at a hearing at a time and place of its choosing. The board shall notify all interested persons not less than five days prior to the date of the hearing. If the application is accepted by the board as fully verified, the board shall process the claim within 90 days, including payment on an approved claim.

(c) The victim shall cooperate with the staff of the board or the local victim center in the verification of the information contained in the application. Failure to cooperate shall be reported to the board, which, in its discretion, may reject the application on this ground alone.

(d) Hearings shall be held in various locations with the frequency necessary to provide for the speedy adjudication of the applications. If the applicant's presence is required at the hearing, the board shall consider convenience to the applicant in scheduling the locations. If necessary, the board shall delegate the hearing of applications to hearing examiners.

(e) Designated local victim centers shall be authorized to verify claims processed by such centers pursuant to conditions stated in subdivision (b).

SEC. 8. Section 13962.5 of the Government Code is amended to read:

13962.5. (a) The board and its staff shall cooperate with the Office of Criminal Justice Planning and such local victim centers as specified in Section 13835.2 of the Penal Code, in conducting training sessions for local center personnel and shall cooperate in the development of standardized verification procedures to be used by the local victim centers in the state.

(b) The board and its staff shall cooperate with local victim centers in disseminating standardized board policies and findings as they relate to the local centers.

SEC. 9. Section 13963 of the Government Code is amended to read:

13963. (a) At the hearing, the board shall:

(1) Instruct its staff, prior to the start of the proceedings, to brief those claimants present on the rules, regulations and any other procedures and guidelines used by the board at such hearings.

(2) Review the application for assistance and the report prepared thereon and any other evidence obtained as a result of the verification.

(3) Receive such other evidence as the board finds necessary or desirable properly to evaluate the application.

(b) If the victim or the victim's representative chooses not to appear at the hearing, the board may act solely upon the application

for assistance, the staff's report, and such other evidence as appears in the record.

SEC. 10. Section 13964 of the Government Code is amended to read:

13964. (a) After having heard the evidence relevant to the application for assistance, the board shall approve the application if a preponderance of the evidence shows that as a direct result of the crime the victim incurred an injury which resulted in a pecuniary loss.

(b) An application for assistance may be denied, in whole or in part, if the board finds that denial is appropriate because of the nature of the victim's involvement in the events leading to the crime or the involvement of the persons whose injury or death give rise to the application.

(c) No victim shall be eligible for assistance under the provisions of this article under any of the following circumstances:

(1) The board finds that the victim or the person whose injury or death gave rise to the application knowingly and willingly participated in the commission of the crime.

(2) The victim or the person whose injury or death gave rise to the application failed to cooperate with a law enforcement agency in the apprehension and conviction of a criminal committing the crime.

(d) No application shall be denied solely because no criminal complaint has been filed, unless the complaint has not been filed for one of the reasons stated in subdivision (b) or (c). Moreover, no application shall be denied because a criminal complaint is filed, but later dismissed, if the dismissal is not for the reasons stated in subdivision (b) or (c).

(e) Once an application has been accepted by the board pursuant to subdivision (b) of Section 13962, as the application pertains to medical or medical-related expenses, the claim shall continue to be processed and either awarded or denied pursuant to the provisions of this article in the event of the death of the applicant.

SEC. 11. Section 13965 of the Government Code is amended to read:

13965. (a) If the application for assistance is approved, the board shall determine what type of state assistance will best aid the victim. The board may take any or all of the following actions:

(1) Authorize a cash payment to or on behalf of the victim equal to the pecuniary loss attributable to medical or medical-related expenses directly resulting from the injury but not to exceed ten thousand dollars ($10,000).

(2) Authorize a cash payment to the victim equal to the pecuniary loss resulting from loss of wages or support directly resulting from the injury, but not to exceed ten thousand dollars ($10,000).

(3) Authorize cash payments not to exceed three thousand dollars ($3,000) to or on behalf of the victim for job retraining or similar employment-oriented rehabilitative services.

(b) Assistance granted pursuant to this article shall not disqualify an otherwise eligible victim from participation in any other public assistance program.

(c) Cash payments made pursuant to this article may be made on a one-time or on a periodic basis. If periodic, the board may increase, reduce, or terminate the amount of assistance according to need, subject to the maximum limits provided in paragraphs (1), (2), and (3) of subdivision (a).

(d) The board may also authorize payment of attorney's fees representing the reasonable value of legal services rendered to the applicant, but not to exceed 10 percent of the amount of the award, or five hundred dollars ($500), whichever is less.

(e) No attorney shall charge, demand, receive, or collect any amount for services rendered in connection with any proceedings under this article except as awarded under this section.

(f) The maximum cash payments authorized in paragraphs (1) and (2) of subdivision (a) shall be increased to twenty thousand dollars ($20,000) and the payments authorized in paragraph (3) of subdivision (a) shall be increased to five thousand dollars ($5,000), if federal funds for such increases are available.

This section shall remain in effect only until January 1, 1985, and as of such date is repealed, unless a later enacted statute, which is chaptered before January 1, 1985, deletes or extends such date.

SEC. 11.5. Section 13965 of the Government Code is amended to read:

13965. (a) If the application for assistance is approved, the board shall determine what type of state assistance will best aid the victim. The board may take any or all of the following actions:

(1) Authorize a cash payment to or on behalf of the victim equal to the pecuniary loss attributable to medical or medical-related expenses directly resulting from the injury.

(2) Authorize a cash payment to the victim equal to the pecuniary loss resulting from loss of wages or support directly resulting from the injury.

(3) Authorize cash payments to or on behalf of the victim for job retraining or similar employment-oriented rehabilitative services.

(4) The total award to or on behalf of the victim shall not exceed twenty-three thousand dollars ($23,000).

(b) Assistance granted pursuant to this article shall not disqualify an otherwise eligible victim from participation in any other public assistance program.

(c) Cash payments made pursuant to this article may be on a one-time or periodic basis. If periodic, the board may increase, reduce, or terminate the amount of assistance according to need, subject to the maximum limit of twenty-three thousand dollars ($23,000).

(d) The board may also authorize payment of attorney's fees representing the reasonable value of legal services rendered to the applicant, but not to exceed 10 percent of the amount of the award,

or five hundred dollars ($500), whichever is less.

(e) No attorney shall charge, demand, receive, or collect any amount for services rendered in connection with any proceedings under this article except as awarded under this section.

(f) The maximum cash payments authorized in subdivision (a) shall be increased to forty-six thousand dollars ($46,000) if federal funds for such increases are available.

This section shall remain in effect only until January 1, 1985, and as of such date is repealed, unless a later enacted statute, which is chaptered before January 1, 1985, deletes or extends such date.

SEC. 12. Section 13968 of the Government Code is amended to read:

13968. (a) The board is hereby authorized to make all needful rules and regulations consistent with the law for the purposes of carrying into effect the provisions of this article.

(b) It shall be the duty of every hospital licensed under the laws of this state to display prominently in its emergency room posters giving notification of the existence and general provisions of this chapter, and the existence and locations of local victim centers. The board, in cooperation with local victim centers, shall set standards for the location of such a display and shall provide posters, application forms, and general information regarding the provisions of this chapter to each hospital and physician licensed to practice in the State of California.

(c) It shall be the duty of every local law enforcement agency to inform victims of crimes of the provisions of this chapter, of the existence of local victim centers, and in counties where no local victim center exists, to provide application forms to victims who desire to seek assistance pursuant to this article. The board shall provide application forms and all other documents which local law enforcement agencies and victim centers may require to comply with this section. The board, in cooperation with local victim centers shall set standards to be followed by local law enforcement agencies for this purpose and may require them to file with the board a description of the procedures adopted by each agency to comply.

(d) Notwithstanding any other provision of law, every law enforcement agency in the state shall provide to the board or to the designated local victim centers, upon request, a complete copy of the report regarding the incident and any supplemental reports involving the crime, public offense, or incident giving rise to a claim, for the specific purpose of the submission of a claim or the determination of eligibility to submit a claim filed pursuant to this article.

(e) The law enforcement agency supplying the information may, at its discretion, withhold the names of witnesses or informants from the board, if the release of such names would be detrimental to the parties or to an investigation currently in progress.

(f) Notwithstanding any other provision of law, every state agency, department, division, board, or commission, upon receipt of

a copy of a release signed in accordance with the Information Practices Act of 1977 by the applicant or other authorized representative, shall provide to the board or local victim center the information necessary to complete the verification of an application filed pursuant to this article.

SEC. 13. Section 13969.1 of the Government Code, as added by Chapter 521 of the Statutes of 1977, is repealed.

SEC. 14. Section 13969.1 of the Government Code, as added by Chapter 1122 of the Statutes of 1977, is amended to read:

13969.1. (a) The decisions of the board shall be in writing. Copies of the decisions shall be delivered to the applicant or to his representative personally or sent to them by mail.

(b) The board itself may order a reconsideration of all or part of the application for assistance on its own motion or on written request of the applicant or his representative. The board may not grant more than one such request on any application for assistance. The board shall not consider any such request filed with the board more than 30 days after the personal delivery or 60 days after the mailing of the original decision.

(c) Judicial review of a final decision made pursuant to this article may be had by filing a petition for a writ of mandate in accordance with the provisions of the Code of Civil Procedure. The right to petition shall not be affected by the failure to seek reconsideration before the board. Such petition shall be filed as follows:

(1) Where no request for reconsideration is made, within 30 days of personal delivery or within 60 days of the mailing of the board's decision on the application for assistance.

(2) Where a timely request for reconsideration is filed and rejected by the board, within 30 days of personal delivery or within 60 days of the mailing of the notice of rejection.

(3) Where a timely request for reconsideration is filed and granted by the board, or reconsideration is ordered by the board, within 30 days of personal delivery or within 60 days of the mailing of the final decision on the reconsidered application.

SEC. 15. Section 11.5 of this bill shall become operative only if both this bill and AB 1485 are enacted and AB 1485 amends Sections 13967 and 13969 of the Government Code, in which case Section 11 of this bill shall not become operative.

CHAPTER 1311

An act to amend Section 6217 of the Public Resources Code, relating to public resources, and making an appropriation therefor.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983]

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

SECTION 1. Section 6217 of the Public Resources Code, as amended by Chapter 323 of the Statutes of 1983, is amended to read:

6217. With the exception of revenues derived from state school lands and from sources described in Sections 6217.6, 6301.5, 6301.6, 6855, and 8551 to 8558, inclusive, and Section 6406 (insofar as the proceeds are from property which has been distributed or escheated to the state in connection with unclaimed estates of deceased persons), the commission shall deposit in the State Treasury all revenues, moneys, and remittances received by it under this division, and under Chapter 138 of the Statutes of 1964, First Extraordinary Session, and such sums shall be applied to the following obligations in the following order:

(a) To the General Fund such revenue as necessary to provide in any fiscal year for the following:

(1) Payment of refunds, authorized by the commission and approved by the State Board of Control, out of appropriations made for that purpose by the Legislature.

(2) Payment of expenditures of the commission as provided in the annual Budget Act approved by the Legislature.

(3) Payments to cities and counties of the amounts specified in Section 6817 for the purposes specified in that section, and the revenues so deposited are appropriated for such purpose.

(4) Payments to cities and counties of the amounts agreed to pursuant to the provisions of Section 6875.

(b) To the California Water Fund each fiscal year the amount of twenty-five million dollars ($25,000,000).

(c) To the Central Valley Water Project Construction Fund each fiscal year the amount of five million dollars ($5,000,000).

(d) To the Resources Agency, the amount of five hundred thousand dollars ($500,000) for each of the fiscal years 1984–85, 1985–86, 1986–87, 1987–88, and 1988–89 for distribution for public and private higher education for use as up to two-thirds of the local matching share for projects under the National Sea Grant College and Program Act of 1966 (P.L. 89-688) approved, upon the recommendation of the advisory panel appointed pursuant to this section, by the Secretary of the Resources Agency or his or her designee. During the 1988–89 fiscal year, the Legislature shall consider recommendations from the Secretary of the Resources Agency and other interested parties on the benefits to the people of the State of California derived from this program and shall determine whether or not to continue similar appropriations for subsequent fiscal years.

There shall be an advisory panel to the Secretary of the Resources Agency consisting of 13 members, which shall do all of the following:

(1) Identify state needs which might be met through Sea Grant research projects, including, but not limited to, such fields as living marine resources, aquaculture, ocean engineering, marine minerals,

public recreation, coastal physical processes and coastal and ocean resources planning and management, and marine data acquisition and dissemination, establish priorities for those needs, and transmit those needs and priorities to the Legislature not later than January 1 of each year and include them in all announcements of proposals for grants in the following fiscal year.

(2) Review all applications for funding under this section and make recommendations based upon the priorities it establishes.

(3) Periodically review progress on sea grant research projects subsequent to their approval and funding under this section.

(4) Make recommendations to the Secretary of the Resources Agency with respect to the implementation of this section.

The Secretary of the Resources Agency shall appoint the following members of the advisory panel, who shall serve at the pleasure of the secretary:

(1) A representative of the Department of Boating and Waterways.

(2) A representative of the Department of Conservation.

(3) A representative of the Department of Fish and Game.

(4) The Executive Director of the California Coastal Commission or his or her designee.

(5) A representative of the fish industry.

(6) A representative of the aquaculture industry.

(7) A representative of the ocean engineering industry.

(8) A representative of the University of California.

(9) A representative of the California State University.

(10) A representative of a private California institution of higher education which is participating in the national sea grant program.

(11) A representative of the State Lands Commission.

The Senate Committee on Rules shall appoint one Member of the Senate to the panel, who shall serve at the pleasure of the Senate Committee on Rules.

The Speaker of the Assembly shall appoint one Member of the Assembly to the panel, who shall serve at the pleasure of the Speaker. This member shall not be of the same political party as the member appointed by the Senate Committee on Rules.

The Secretary of the Resources Agency shall designate one member of the panel to serve as its chairman. Panel members shall serve without compensation.

The Sea Grant research projects selected for state support under this section shall have a clearly defined benefit to the people of the State of California. The Legislature hereby finds and declares that the funding provided by this section is needed to stimulate the development and utilization of ocean and coastal resources by working constructively with private sector firms and individuals. Nothing in this section shall be construed to preclude the application for funding of any project which would be eligible for funding under the terms of the National Sea Grant College and Program Act of 1966.

(e) To the Capital Outlay Fund for Public Higher Education for

the fiscal year 1980–81, the amount necessary to provide for an unencumbered balance available for appropriation on July 1, 1980, of one hundred twenty-five million dollars ($125,000,000), and for each fiscal year thereafter, the amount necessary to provide for an unencumbered balance available for appropriation on July 1 of each such year of one hundred twenty-five million dollars ($125,000,000).

(f) To the State School Building Lease-Purchase Fund for the fiscal year 1980–81, the amount of one hundred million dollars ($100,000,000), and for each fiscal year thereafter, the amount of two hundred million dollars ($200,000,000).

(g) To the Energy and Resources Fund, the amount of one hundred twenty million dollars ($120,000,000) for the fiscal year 1980–81, and for each fiscal year thereafter, the amount necessary to provide for a balance available for appropriation on July 1 of each such fiscal year of one hundred twenty million dollars ($120,000,000).

The Controller shall allocate the amounts deposited in the Energy and Resources Fund, in accordance with this subdivision, between the Energy Account and the Resources Account in the same ratio as the amount appropriated from each account bears to the total amount appropriated from both accounts. The allocations shall be made until the two accounts have sufficient funds available for the amounts appropriated from those accounts.

The Director of Finance may direct the Controller to make transfers between the two accounts, or between either account and the Energy and Resources Fund, for cash flow purposes.

The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, and the chairperson of the committee in each house which considers appropriations, 10 days prior to taking any action pursuant to this section.

(h) To the State Parks and Recreation Fund, the amount of thirty-five million dollars ($35,000,000) for the fiscal year 1980–81 and for each fiscal year thereafter.

(i) To the Transportation Planning and Development Account in the State Transportation Fund to finance capital outlay costs of exclusive public mass transit guideway projects, including the acquisition of rolling stock, the amount of twenty-five million dollars ($25,000,000) for fiscal year 1981–82 and for each fiscal year thereafter.

(j) To the Special Account for Capital Outlay in the General Fund, the balance of all revenue in excess of that distributed pursuant to subdivisions (a), (b), (c), (d), (e), (f), (g), (h), and (i) of this section.

The commission may, with the approval of the State Board of Control, authorize the refund of moneys received or collected by it illegally or by mistake, inadvertence, or error. Claims authorized by the commission and approved by the State Board of Control shall be filed with the Controller and the Controller shall draw his warrant against the General Fund in payment of such refund from any appropriation made for that purpose.

All references in any law to Section 6816 shall be deemed to refer to this section.

This section shall remain in effect only until the later of the following dates, and on that date is repealed, unless a later enacted statute changes the requirements of this paragraph:

(1) The operative date of the Budget Act for the 1984–85 fiscal year.

(2) The operative date of the Budget Act for a fiscal year after the 1983–84 fiscal year which does not contain a section authorizing this section to remain operative for that fiscal year.

SEC. 2. Section 6217 of the Public Resources Code is amended to read:

6217. With the exception of revenues derived from state school lands and from sources described in Sections 6217.6, 6301.5, 6301.6, 6855, and 8551 to 8558, inclusive, and Section 6406 (insofar as the proceeds are from property which has been distributed or escheated to the state in connection with unclaimed estates of deceased persons), the commission shall deposit in the State Treasury all revenues, moneys, and remittances received by it under this division, and under Chapter 138 of the Statutes of 1964, First Extraordinary Session, and such sums shall be applied to the following obligations in the following order:

(a) To the General Fund such revenue as necessary to provide in any fiscal year for the following:

(1) Payment of refunds, authorized by the commission and approved by the State Board of Control, out of appropriations made for that purpose by the Legislature.

(2) Payment of expenditures of the commission as provided in the annual Budget Act approved by the Legislature.

(3) Payments to cities and counties of the amounts specified in Section 6817 for the purposes specified in that section, and the revenues so deposited are appropriated for such purpose.

(4) Payments to cities and counties of the amounts agreed to pursuant to the provisions of Section 6875.

(b) To the California Water Fund each fiscal year the amount of twenty-five million dollars ($25,000,000).

(c) To the Central Valley Water Project Construction Fund each fiscal year the amount of five million dollars ($5,000,000).

(d) To the Resources Agency, the amount of five hundred thousand dollars ($500,000) for each of the fiscal years 1984–85, 1985–86, 1986–87, 1987–88, and 1988–89 for distribution for public and private higher education for use as up to two-thirds of the local matching share for projects under the National Sea Grant College and Program Act of 1966 (P.L. 89-688) approved, upon the recommendation of the advisory panel appointed pursuant to this section, by the Secretary of the Resources Agency or his or her designee. During the 1988–89 fiscal year, the Legislature shall consider recommendations from the Secretary of the Resources Agency and other interested parties on the benefits to the people of

the State of California derived from this program and shall determine whether or not to continue similar appropriations for subsequent fiscal years.

There shall be an advisory panel to the Secretary of the Resources Agency consisting of 13 members, which shall do all of the following:

(1) Identify state needs which might be met through Sea Grant research projects, including, but not limited to, such fields as living marine resources, aquaculture, ocean engineering, marine minerals, public recreation, coastal physical processes and coastal and ocean resources planning and management, and marine data acquisition and dissemination, establish priorities for those needs, and transmit those needs and priorities to the Legislature not later than January 1 of each year and include them in all announcements of proposals for grants in the following fiscal year.

(2) Review all applications for funding under this section and make recommendations based upon the priorities it establishes.

(3) Periodically review progress on sea grant research projects subsequent to their approval and funding under this section.

(4) Make recommendations to the Secretary of the Resources Agency with respect to the implementation of this section.

The Secretary of the Resources Agency shall appoint the following members of the advisory panel, who shall serve at the pleasure of the secretary:

(1) A representative of the Department of Boating and Waterways.

(2) A representative of the Department of Conservation.

(3) A representative of the Department of Fish and Game.

(4) The executive director of the California Coastal Commission or his or her designee.

(5) A representative of the fish industry.

(6) A representative of the aquaculture industry.

(7) A representative of the ocean engineering industry.

(8) A representative of the University of California.

(9) A representative of the California State University.

(10) A representative of a private California institution of higher education which is participating in the National Sea Grant Program.

(11) A representative of the State Lands Commission.

The Senate Committee on Rules shall appoint one Member of the Senate to the panel, who shall serve at the pleasure of the Senate Committee on Rules.

The Speaker of the Assembly shall appoint one Member of the Assembly to the panel, who shall serve at the pleasure of the Speaker. This member shall not be of the same political party as the member appointed by the Senate Committee on Rules.

The Secretary of the Resources Agency shall designate one member of the panel to serve as its chairman. Panel members shall serve without compensation.

The Sea Grant research projects selected for state support under this section shall have a clearly defined benefit to the people of the

State of California. The Legislature hereby finds and declares that the funding provided by this section is needed to stimulate the development and utilization of ocean and coastal resources by working constructively with private sector firms and individuals. Nothing in this section shall be construed to preclude the application for funding of any project which would be eligible for funding under the terms of the National Sea Grant College and Program Act of 1966.

(e) To the Capital Outlay Fund for Public Higher Education for the fiscal year 1980–81, the amount necessary to provide for an unencumbered balance available for appropriation on July 1, 1980, of one hundred twenty-five million dollars ($125,000,000), and for each fiscal year thereafter, the amount necessary to provide for an unencumbered balance available for appropriation on July 1 of each such year of one hundred twenty-five million dollars ($125,000,000).

(f) To the Special Account for Capital Outlay, the balance of all revenue in excess of the amount distributed under subdivisions (a), (b), (c), (d), and (e).

The commission may, with the approval of the State Board of Control, authorize the refund of moneys received or collected by it illegally or by mistake, inadvertence, or error. Claims authorized by the commission and approved by the State Board of Control shall be filed with the Controller and the Controller shall draw his warrant against the General Fund in payment of such refund from any appropriation made for that purpose.

All references in any law to Section 6816 shall be deemed to refer to this section.

This section shall become operative on the later of the following dates, unless a later enacted statute changes the requirements of this paragraph:

(1) The operative date of the Budget Act for the 1984–85 fiscal year.

(2) The operative date of the Budget Act for a fiscal year after 1983–84 which does not contain a section authorizing Section 6217, as amended by Chapter 886 of the Statutes of 1981 to remain operative for that fiscal year.

CHAPTER 1312

An act to repeal and add Article 2 (commencing with Section 13835) of Chapter 4 of Title 6 of Part 4 of, and to add Sections 13835.2 and 13835.7 to, the Penal Code, relating to centers for victims and witnesses.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Article 2 (commencing with Section 13835) of Chapter 4 of Title 6 of Part 4 of the Penal Code is repealed.

SEC. 2. Article 2 (commencing with Section 13835) is added to Chapter 4 of Title 6 of Part 4 of the Penal Code, to read:

Article 2. Local Assistance Centers for Victims and Witnesses

13835. The Legislature finds and declares as follows:

(a) That there is a need to develop methods to reduce the trauma and insensitive treatment that victims and witnesses may experience in the wake of a crime, since all too often citizens who become involved with the criminal justice system, either as victims or witnesses to crime, are further victimized by that system.

(b) That when a crime is committed, the chief concern of criminal justice agencies has been apprehending and dealing with the criminal, and that after police leave the scene of the crime, the victim is frequently forgotten.

(c) That victims often become isolated and receive little practical advice or necessary care.

(d) That witnesses must make arrangements to appear in court regardless of their own schedules, child care responsibilities, or transportation problems, and that they often find long waits, crowded courthouse hallways, confusing circumstances and, after testifying, receive no information as to the disposition of the case.

(e) That a large number of victims and witnesses are unaware of both their rights and obligations.

(f) That although the State of California has a fund for needy victims of violent crimes, and compensation is available for medical expenses, lost income or wages, and rehabilitation costs, the application process may be difficult, complex, and time-consuming, and victims may not be aware that the compensation provisions exist.

It is, therefore, the intent of the Legislature to provide services to meet the needs of both victims and witnesses of crime through the funding of local comprehensive centers for victim and witness assistance.

13835.2. (a) Funds appropriated from the Indemnity Fund for the purposes of Section 13967 of the Government Code and Section 1464 of the Penal Code shall be made available through the Office of Criminal Justice Planning to any public or private nonprofit agency for the assistance of victims and witnesses which meets all of the following requirements:

(1) It provides comprehensive services to victims and witnesses of all types of crime. It is the intent of the Legislature to make funds available only to programs which do not restrict services to victims and witnesses of a particular type of crime, and which do not restrict services to victims of crime where there is a suspect in the case.

(2) It is recognized by the board of supervisors as the major

provider of comprehensive services to victims and witnesses in the county.

(3) It is selected by the board of supervisors as the agency to receive funds pursuant to this article.

(4) It assists victims of crime in the preparation, verification, and presentation of their claims to the State Board of Control for indemnification pursuant to Article 1 (commencing with Section 13959) of Part 4 of Division 3 of Title 2 of the Government Code.

(5) It cooperates with the State Board of Control in verifying the data required by the provisions of Article 1 (commencing with Section 13959) of Part 4 of Division 3 of Title 2 of the Government Code.

(b) The Office of Criminal Justice Planning shall consider the following factors together with any other circumstances it deems appropriate in awarding funds to public or private nonprofit agencies designated as victim and witness assistance centers:

(1) The capability of the agency to provide comprehensive services as defined in this article.

(2) The stated goals and objectives of the center.

(3) The number of people to be served and the needs of the community.

(4) Evidence of community support.

(5) The organizational structure of the agency which will operate the center.

(c) The Office of Criminal Justice Planning shall conduct an evaluation of the activities and performance of the centers established pursuant to Chapter 1256 of the Statues of 1977 to determine their ability to comply with the intent of this article, and shall report the findings thereon to the Legislature by January 1, 1985.

13835.4. In order to insure the effective delivery of comprehensive services to victims and witnesses, a center established by an agency receiving funds pursuant to this article shall carry out all of the following activities in connection with both primary and optional services:

(a) Translation services for non-English speaking victims and witnesses or the hearing-impaired.

(b) Follow-up contact to determine whether the client received the necessary assistance.

(c) Field visits to a client's home, place of business, or other location, whenever necessary to provide services.

(d) Service to victims and witnesses of all types of crime.

(e) Volunteer participation to encourage community involvement.

(f) Services for elderly victims of crime, appropriate to their special needs.

13835.5. (a) Comprehensive services shall include all of the following primary services:

(1) Crisis intervention, providing timely and comprehensive

responses to the individual needs of victims.

(2) Emergency assistance, directly or indirectly providing food, housing, clothing, and, when necessary, cash.

(3) Resource and referral counseling to agencies within the community which are appropriate to meet the victim's needs.

(4) Direct counseling of the victim on problems resulting from the crime.

(5) Assistance in the processing, filing, and verifying of claims filed by victims of crime pursuant to Article 1 (commencing with Section 13959) of Part 4 of Division 3 of Title 2 of the Government Code.

(6) Orientation to the criminal justice system.

(7) Court escort.

(8) Presentations to and training of criminal justice system agencies.

(9) Public presentations and publicity.

(10) Monitoring appropriate court cases to keep victims and witnesses apprised of the progress and outcome of their case.

(11) Notification to friends, relatives, and employers of the occurrence of the crime and the victim's condition, upon request of the victim.

(b) Comprehensive services may include the following optional services, if their provision does not preclude the efficient provision of primary services:

(1) Employer intervention.

(2) Creditor intervention.

(3) Child care.

(4) Assistance in obtaining restitution for the victim.

(5) Assistance in obtaining return of a victim's property held as evidence by law enforcement agencies.

(6) Notification to witnesses of any change in the court calendar.

(7) Funeral arrangements.

(8) Crime prevention information.

(9) Witness protection, including arranging for law enforcement protection or relocating witnesses in new residences.

(10) Assistance in obtaining temporary restraining orders.

(11) Transportation.

13835.6. (a) The Office of Criminal Justice Planning, in cooperation with representatives from local victim and witness assistance centers, shall develop standards defining the activities and services enumerated in this article.

(b) The Office of Criminal Justice Planning in cooperation with representatives from local victim and witness assistance centers, shall develop a method of evaluating the activities and performance of centers established pursuant to this article.

By January 1, 1985, the Office of Criminal Justice Planning shall prepare and submit to the Legislature a report summarizing the effectiveness of victim and witness assistance centers established pursuant to this article. That report shall include, but not be limited

to, the effectiveness in achieving the functions and the services enumerated in the article.

SEC. 3. Section 13835.2 is added to the Penal Code, to read:

13835.2. (a) Funds appropriated from the Victim-Witness Assistance Fund shall be made available through the Office of Criminal Justice Planning to any public or private nonprofit agency for the assistance of victims and witnesses which meets all of the following requirements:

(1) It provides comprehensive services to victims and witnesses of all types of crime. It is the intent of the Legislature to make funds available only to programs which do not restrict services to victims and witnesses of a particular type of crime, and which do not restrict services to victims of crime where there is a suspect in the case.

(2) It is recognized by the board of supervisors as the major provider of comprehensive services to victims and witnesses in the county.

(3) It is selected by the board of supervisors as the agency to receive funds pursuant to this article.

(4) It assists victims of crime in the preparation, verification, and presentation of their claims to the State Board of Control for indemnification pursuant to Article 1 (commencing with Section 13959) of Part 4 of Division 3 of Title 2 of the Government Code.

(5) It cooperates with the State Board of Control in verifying the data required by the provisions of Article 1 (commencing with Section 13959) of Part 4 of Division 3 of Title 2 of the Government Code.

(b) The Office of Criminal Justice Planning shall consider the following factors together with any other circumstances it deems appropriate in awarding funds to public or private nonprofit agencies designated as victim and witness assistance centers:

(1) The capability of the agency to provide comprehensive services as defined in this article.

(2) The stated goals and objectives of the center.

(3) The number of people to be served and the needs of the community.

(4) Evidence of community support.

(5) The organizational structure of the agency which will operate the center.

(c) The Office of Criminal Justice Planning shall conduct an evaluation of the activities and performance of the centers established pursuant to Chapter 1256 of the Statutes of 1977 to determine their ability to comply with the intent of this article, and shall report the findings thereon to the Legislature by January 1, 1985.

SEC. 4. Section 13835.7 is added to the Penal Code, to read:

13835.7. There is in the State Treasury the Victim-Witness Assistance Fund. Funds appropriated thereto shall be dispensed to the "Office of Criminal Justice Planning" exclusively for the purposes specified in this article and for the support of the centers

specified in Section 13837.

It is the intent of the Legislature that funding from the Indemnity Fund for the operation and administration of programs pursuant to this article and Section 13837, as specified in the Budget Act of 1983, shall cover only costs for operation and administration through December 31, 1983, and that as of January 1, 1984, such costs shall be payable from the Victim-Witness Assistance Fund. To the extent it is necessary to effectuate this intent, on March 1, 1984, there shall be a one-time transfer between the Restitution Fund and the Victim-Witness Assistance Fund. The amount of the transfer shall be determined by the Department of Finance after consultation with the Office of Criminal Justice Planning, the Board of Control, and the Assembly Select Committee on Victim Restitution.

SEC. 5. Section 13835.2 of the Penal Code, as added by Section 3 of this act, and Section 13835.7 of the Penal Code, as added by Section 4 of this act, shall become operative only if AB No. 1485 of the 1983–84 Regular Session of the Legislature is chaptered and becomes effective on or before January 1, 1984, in which case Section 13835.2 of the Penal Code, as added by Section 2 of this act, shall not become operative.

CHAPTER 1313

An act to amend Sections 12631, 12632, 13127, 13140, 13140.5, 13140.6, 13141, 13144.2, 13156, and 13159 of, to add Sections 12630, 12635, and 13189 to, and to repeal Sections 12630, 12635, and 13189 of, the Health and Safety Code, relating to the State Fire Marshal.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 12630 of the Health and Safety Code is repealed.

SEC. 2. Section 12630 is added to the Health and Safety Code, to read:

12630. The State Fire Marshal shall establish and collect the original and annual renewal fees for fireworks licenses required by this chapter. The fees shall not exceed the amount necessary to cover the costs incurred in the administration and enforcement of this part.

SEC. 3. Section 12631 of the Health and Safety Code is amended to read:

12631. The original and annual renewal license fee to manufacture, import, export, or wholesale, or any combination thereof, agricultural and wildlife fireworks shall be established and collected by the State Fire Marshal.

SEC. 4. Section 12632 of the Health and Safety Code is amended

to read:

12632. The original and annual renewal license fee to manufacture, import, export, or wholesale, or any combination thereof, model rocket engines shall be established and collected by the State Fire Marshal.

SEC. 5. Section 12635 of the Health and Safety Code is repealed.

SEC. 6. Section 12635 is added to the Health and Safety Code, to read:

12635. The California Fireworks Licensing Fund is hereby established in the State Treasury. All of the moneys collected pursuant to this part shall be deposited in the fund and those moneys shall be available, when appropriated by the Legislature, to the State Fire Marshal to carry out the provisions of this part.

SEC. 7. Section 13127 of the Health and Safety Code is amended to read:

13127. Any chemical manufacturing concern, or any flame-retardant application concern, or any concern marketing a flame-retardant fabric or material who desires to have their name appear on the approved list shall first make application to the State Fire Marshal on forms provided by the State Fire Marshal. The application shall be accompanied by a registration fee established by the State Fire Marshal. The registration fee shall not exceed the amount necessary to cover the costs incurred by the State Fire Marshal in carrying out the provisions of Sections 13120 to 13126, inclusive.

SEC. 8. Section 13140 of the Health and Safety Code is amended to read:

13140. There is hereby created in the office of the State Fire Marshal a State Board of Fire Services which shall consist of 17 members. The State Board of Fire Services succeeds to all of the powers, duties, and responsibilities of the State Fire Advisory Board, which is hereby abolished. Whenever the term "State Fire Advisory Board" appears in any other law, it means the State Board of Fire Services.

SEC. 9. Section 13140.5 of the Health and Safety Code is amended to read:

13140.5. The board shall be composed of the following voting members: the State Fire Marshal, the Chief of Fire Protection of the Department of Forestry, the Chief of the Fire and Rescue Division, Office of Emergency Services, one representative of the insurance industry, four fire chiefs, six fire service labor representatives, one representative from city government, one representative from a fire district, and one representative from county government.

The following members shall be appointed by the Governor: one representative of the insurance industry, four fire chiefs, six fire service labor representatives, one representative from city government, one representative from a fire district, and one representative from county government. Each member appointed shall be a resident of this state. Three of the fire chiefs appointed to

the board shall be selected from a list of names recommended by the Board of Directors of the California Fire Chiefs' Association, Inc. and one fire chief shall be selected from a list of names submitted by the California Metropolitan Fire Chiefs. The six fire service labor representatives shall be selected from a list of names recommended by statewide employee organizations representing rank and file firefighters with organization memberships exceeding 2,000 firefighters, but not more than one fire service labor representative shall be selected from among persons recommended by any one of the employee organizations, unless each organization is represented on the membership of the board. The city government representative shall be selected from elected or appointed city chief administrative officers. The fire district representative shall be selected from elected or appointed directors of fire districts. The county government representative shall be selected from elected or appointed county chief administrative officers. The appointed members shall be appointed for a term of four years. Any member chosen by the Governor to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the member he or she is to succeed.

SEC. 10. Section 13140.6 of the Health and Safety Code is amended to read:

13140.6. A quorum of the board shall consist of not less than nine members of the board. Proxy representation shall not be permitted.

SEC. 11. Section 13141 of the Health and Safety Code is amended to read:

13141. The board shall meet at the call of the State Fire Marshal, or at the request of any two members, but not less than annually, and shall receive no salary. Board members shall be paid actual and necessary expenses related to activities of the board. Meetings of the board shall be announced in writing to all members at least 15 days in advance of the meeting date.

SEC. 12. Section 13144.2 of the Health and Safety Code is amended to read:

13144.2. Any person, firm, corporation, association, or similar organization desiring listing pursuant to Section 13144.1 shall, prior to placement on any list or revision thereto, make an original or annual renewal application to the State Fire Marshal on forms provided by the State Fire Marshal. Original applications shall be accompanied by both an application fee and a listing fee. Renewal applications shall be accompanied by a listing fee. An application for revision shall be accompanied by a revision fee.

Failure to submit an annual renewal application and listing fee shall automatically cause removal of the material, equipment, method of construction, or installation of equipment from the listings or revision thereto.

The original application fee, the listing fee, and the revision fee shall be established and collected by the State Fire Marshal. Those fees shall not exceed the costs incurred by the State Fire Marshal in

conducting evaluations and tests of construction materials and equipment and methods of construction and of installation of equipment.

The State Fire Marshal may designate in generic terms, without application or fee, materials or assemblies of materials classed by the State Fire Marshal as industrywide, by regulations adopted pursuant to Sections 13108 and 13143.

SEC. 13. Section 13156 of the Health and Safety Code is amended to read:

13156. The Legislature finds and declares that the purposes of this article are as follows:

(a) To reduce the costs in suffering and property loss resulting from fire through standardized fire training and education programs.

(b) To provide professional fire service training and education programs to personnel in fire departments that rely extensively on volunteers.

(c) To develop new methods and practices in the area of fire protection.

(d) To disseminate information relative to fires, techniques of firefighters, and other related subjects to all interested agencies and individuals throughout the state.

(e) To enhance the coordination of fire service training and education.

(f) To develop a coordinated and standardized plan for the control of fires and the safety of firefighters where hazardous materials are involved.

SEC. 14. Section 13159 of the Health and Safety Code is amended to read:

13159. The State Fire Marshal, with policy guidance and advice from the State Board of Fire Services, shall have the following responsibilities:

(a) To make fire service training and education programs, including training and education in the use of heavy rescue equipment, available on a voluntary basis to fire departments that rely extensively on volunteers.

(b) Cooperate with the State Board of Fire Services in the development of a minimum standards program for fire service personnel and fire service instructors.

(c) Assist and cooperate with State Board of Fire Services pursuant to Section 13142.4.

(d) Verify that minimum curriculum requirements, facilities, and faculty standards for schools, seminars, or workshops operated by or for the state for the specific purpose of training fire service personnel are being met.

(e) Make or encourage studies of any aspect of fire service training and education.

(f) Determine the need for and recommend locations of regional training sites.

(g) Assist and cooperate with the California Fire Chiefs'

Association in their operation of the existing State Fire Academy Program.

(h) Develop a model plan or system for use by fire departments for the control of fires and the safety of firefighters where hazardous materials are involved.

(i) Study the feasibility of establishing within the office of the State Fire Marshal, a depository of information on hazardous material characteristics for use by local fire departments and other entities that respond to emergencies.

SEC. 15. Section 13189 of the Health and Safety Code is repealed.

SEC. 16. Section 13189 is added to the Health and Safety Code, to read:

13189. (a) The original and annual renewal fee for any license or a certificate of registration issued pursuant to this chapter shall be established by the State Fire Marshal. That fee shall not exceed the amount necessary to cover the costs incurred in the administration and enforcement of this chapter.

(b) A penalty fee equal to 50 percent of the required annual license fee or certificate of registration fee shall be added to the fee in all cases where the fee for a renewal is not paid on or before November 1.

CHAPTER 1314

An act to amend Section 1000 of, and to add Section 381b to, the Penal Code, relating to crimes.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 381b is added to the Penal Code, to read:

381b. Any person who possesses nitrous oxide or any substance containing nitrous oxide, with the intent to breathe, inhale, or ingest for the purpose of causing a condition of intoxication, elation, euphoria, dizziness, stupefaction, or dulling of the senses or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes, or who knowingly and with the intent to do so is under the influence of nitrous oxide or any material containing nitrous oxide is guilty of a misdemeanor. This section shall not apply to any person who is under the influence of nitrous oxide or any material containing nitrous oxide pursuant to an administration by a licensed dentist or physician and surgeon.

SEC. 2. Section 1000 of the Penal Code is amended to read:

1000. (a) This chapter shall apply whenever a case is before any court upon an accusatory pleading for violation of Section 11350, 11357, 11364, 11365, 11377, or 11550 of the Health and Safety Code, or

Section 11358 of the Health and Safety Code if the marijuana planted, cultivated, harvested, dried, or processed is for personal use, or Section 11368 of the Health and Safety Code if the narcotic drug was secured by a fictitious prescription and is for the personal use of the defendant and was not sold or furnished to another, or Section 381 or subdivision (f) of Section 647 of the Penal Code, if for being under the influence of a controlled substance, or Section 4230 of the Business and Professions Code, and it appears to the district attorney that, except as provided in subdivision (b) of Section 11357 of the Health and Safety Code, all of the following apply to the defendant:

(1) The defendant has no conviction for any offense involving controlled substances prior to the alleged commission of the charged divertible offense.

(2) The offense charged did not involve a crime of violence or threatened violence.

(3) There is no evidence of a violation relating to narcotics or restricted dangerous drugs other than a violation of the sections listed in this subdivision.

(4) The defendant's record does not indicate that probation or parole has ever been revoked without thereafter being completed.

(5) The defendant's record does not indicate that he has been diverted pursuant to this chapter within five years prior to the alleged commission of the charged divertible offense.

(6) The defendant has no prior felony conviction within five years prior to the alleged commission of the charged divertible offense.

(b) The district attorney shall review his file to determine whether or not paragraphs (1) to (6), inclusive, of subdivision (a) are applicable to the defendant. If the defendant is found ineligible, the district attorney shall file with the court a declaration in writing or state for the record the grounds upon which the determination is based, and shall make this information available to the defendant and his attorney.

(c) Successful completion of diversion for a violation of Section 11368 of the Health and Safety Code shall not prohibit any administrative agency from taking disciplinary action against a licensee or from denying a license. Nothing in this subdivision shall be construed to expand or restrict the provisions of Section 1000.5.

SEC. 3. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.

CHAPTER 1315

An act to amend Section 6254 of the Government Code, and to amend Sections 14084, 14087 and 14088 of, and to add Sections 14018.4 and 14087.51 to, the Welfare and Institutions Code, relating to health.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 6254 of the Government Code is amended to read:

6254. Except as provided in Section 6254.7, nothing in this chapter shall be construed to require disclosure of records that are any of the following:

(a) Preliminary drafts, notes, or interagency or intraagency memoranda which are not retained by the public agency in the ordinary course of business, provided that the public interest in withholding such records clearly outweighs the public interest in disclosure.

(b) Records pertaining to pending litigation to which the public agency is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, until such litigation or claim has been finally adjudicated or otherwise settled.

(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

(d) Contained in or related to:

(1) Applications filed with any state agency responsible for the regulation or supervision of the issuance of securities or of financial institutions, including, but not limited to, banks, savings and loan associations, industrial loan companies, credit unions, and insurance companies.

(2) Examination, operating, or condition reports prepared by, on behalf of, or for the use of any state agency referred to in subdivision (1).

(3) Preliminary drafts, notes, or interagency or intraagency communications prepared by, on behalf of, or for the use of any state agency referred to in subdivision (1).

(4) Information received in confidence by any state agency referred to in subdivision (1).

(e) Geological and geophysical data, plant production data and similar information relating to utility systems development, or market or crop reports, which are obtained in confidence from any person.

(f) Records of complaints to or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice, and

any state or local police agency, or any such investigatory or security files compiled by any other state or local police agency, or any such investigatory or security files compiled by any other state or local agency for correctional, law enforcement or licensing purposes, except that state and local law enforcement agencies shall disclose the names and addresses of persons involved in, or witnesses other than confidential informants to, the incident, the description of any property involved, the date, time, and location of the incident, all diagrams, statements of the parties involved in the incident, the statements of all witnesses, other than confidential informants, to the victims of an incident, or an authorized representative thereof, an insurance carrier against which a claim has been or might be made, and any person suffering bodily injury or property damage or loss, as the result of the incident caused by arson, burglary, fire, explosion, larceny, robbery, vandalism, vehicle theft, or a crime of violence as defined by subdivision (b) of Section 13960, unless the disclosure would endanger the safety of a witness or other person involved in the investigation, or unless disclosure would endanger the successful completion of the investigation or a related investigation; provided, however, that nothing herein shall require the disclosure of that portion of those investigative files which reflect the analysis or conclusions of the investigating officer.

Other provisions of this subdivision notwithstanding, state and local law enforcement agencies shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

(1) The full name, current address, and occupation of every individual arrested by the agency, the individual's physical description including date of birth, color of eyes and hair, sex, height and weight, the time and date of arrest, the time and date of booking, the location of the arrest, the factual circumstances surrounding the arrest, the amount of bail set, the time and manner of release or the location where the individual is currently being held, and all charges the individual is being held upon, including any outstanding warrants from other jurisdictions and parole or probation holds; and

(2) The time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent such information regarding crimes alleged or committed or any other incident investigated is recorded, the time, date and location of occurrence, the time and date of the report, the name, age and current address of the victim, except that the address of the victim of any crime defined by Section 261, 264, 264.1, 273a, 273d, 286, 288, 288a, or 289 of the Penal Code shall not be disclosed, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property or weapons involved.

(g) Test questions, scoring keys, and other examination data used

to administer a licensing examination, examination for employment, or academic examination, except as provided for in Chapter 3 (commencing with Section 99150) of Part 65 of the Education Code.

(h) The contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by the state or local agency relative to the acquisition of property, or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all of the contract agreement obtained, provided, however, the law of eminent domain shall not be affected by this provision.

(i) Information required from any taxpayer in connection with the collection of local taxes which is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying such information.

(j) Library circulation records kept for the purpose of identifying the borrower of items available in libraries, and library and museum materials made or acquired and presented solely for reference or exhibition purposes. The exemption in this subdivision shall not apply to records of fines imposed on such borrowers.

(k) Records the disclosure of which is exempted or prohibited pursuant to provisions of federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.

(*l*) Correspondence of and to the Governor or employees of the Governor's office or in the custody of or maintained by the Governor's legal affairs secretary, provided public records shall not be transferred to the custody of the Governor's legal affairs secretary to evade the disclosure provisions of this chapter.

(m) In the custody or maintained by the Legislative Counsel.

(n) Statements of personal worth or personal financial data required by a licensing agency and filed by an applicant with such licensing agency to establish his personal qualification for the license, certificate, or permit applied for.

(o) Financial data contained in applications for financing under Division 27 (commencing with Section 44500) of the Health and Safety Code, where an authorized officer of the California Pollution Control Financing Authority determines that disclosure of such financial data would be competitively injurious to the applicant and such data is required in order to obtain guarantees from the United States Small Business Administration. The California Pollution Control Financing Authority shall adopt rules for review of individual requests for confidentiality under this section and for making available to the public those portions of an application which are subject to disclosure under this chapter.

(p) Records of state agencies related to activities governed by Chapter 10.3 (commencing with Section 3512) of Division 4 of Title 1, Chapter 10.5 (commencing with Section 3525) of Division 4 of Title 1, and Chapter 12 (commencing with Section 3560) of Division 4 of Title 1, which reveal a state agency's deliberative processes, impressions, evaluations, opinions, recommendations, meeting

minutes, research, work products, theories, or strategy, or which provide instruction, advice, or training to employees who do not have full collective bargaining and representation rights under the above chapters. Nothing in this subdivision shall be construed to limit the disclosure duties of a state agency with respect to any other records relating to the activities governed by the employee relations acts referred to in this subdivision.

(q) Records of state agencies related to activities governed by Articles 2.6, 2.8, and 2.91 of Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code, which reveal the special negotiator's deliberative processes, impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy, or which provide instruction, advice, or training to employees. All or portions of contracts entered into pursuant to these articles may be exempted from the provisions of this chapter as specified by the terms of each contract.

Nothing in this section is to be construed as preventing any agency from opening its records concerning the administration of the agency to public inspection, unless disclosure is otherwise prohibited by law.

(r) Records of Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission.

(s) A final accreditation report of the Joint Commission on Accreditation of Hospitals which has been transmitted to the Department of Health Services pursuant to subdivision (b) of Section 1282 of the Health and Safety Code.

SEC. 2. Section 14084 of the Welfare and Institutions Code is amended to read:

14084. (a) Payments to the contractor may be either on a capitation or prepayment basis, or on a combination of both methods of payment, or such other methods as the negotiator determines to be feasible. Hospitals may assume all or part of the risk of utilization of services, or costs of services, or both.

(b) The department shall insure that the system for reimbursing contracting hospitals is capable of making contract payments in the manner determined pursuant to subdivision (a). At a minimum, the department shall insure that the reimbursement system is capable of making contract payments on a per diem and a per case basis.

SEC. 3. Section 14018.4 is added to the Welfare and Institutions Code, to read:

14018.4. (a) Reimbursement shall not be denied to any hospital for care rendered to an eligible Medi-Cal beneficiary for the sole reason that a proof of eligibility label does not accompany the bill, so long as the claim includes other appropriate documentation of eligibility.

(b) The director shall require county welfare departments to issue, upon the request of a hospital providing care to an eligible Medi-Cal beneficiary, replacement Medi-Cal proof of eligibility

labels or other appropriate documentation of eligibility to the hospital, if all of the following conditions are met:

(1) The hospital attempted to obtain a label from the beneficiary at the time the service was provided.

(2) The hospital made a subsequent attempt to obtain a label or other appropriate documentation from the beneficiary.

(c) Notwithstanding subdivision (a), the director shall require that the replacement proof of eligibility label or other appropriate documentation of eligibility provided pursuant to subdivision (b) accompany the bill of the hospital.

(d) This section shall remain in effect only until both the Secretary of the Senate and the Chief Clerk of the Assembly have received certification by registered mail from the Director of Health Services, that the automated eligibility verification system required by Section 14042 is operative for all counties and has been demonstrated to be accurate for each county at the 97 percent level as required by Section 14042 and as of that date is repealed.

SEC. 4. Section 14087 of the Welfare and Institutions Code is amended to read:

14087. The provisions of this article shall not, however, be construed to preclude an otherwise qualified hospital from obtaining reimbursement as determined by the department based on the state plan adopted by the department under Section 14105.1, for any of the following:

(a) Providing services to program beneficiaries in life threatening or emergency situations defined as those health services required for alleviation of severe pain or immediate diagnosis and treatment of unforeseen medical conditions which if not immediately diagnosed and treated could lead to disability or death.

(b) Providing services to beneficiaries who are also eligible for benefits under the federal program of hospital insurance for the aged and disabled.

(c) Providing services to beneficiaries who live or reside farther than the community travel time standard from a contract hospital, as defined by the department, if the hospital providing services is closer than a contract hospital.

SEC. 5. Section 14087.51 is added to the Welfare and Institutions Code, to read:

14087.51. It is necessary that a special commission be established in San Mateo County in order to meet the problems of the delivery of publicly assisted medical care in the county and to demonstrate ways of promoting quality care and cost efficiency. Because there is no general law under which such a commission could be formed, the adoption of a special act and the formation of a special commission is required.

The Board of Supervisors of San Mateo County may, by ordinance, establish a commission to negotiate the exclusive contract specified in Section 14087.5 and to arrange for the provision of health care services provided pursuant to this chapter. If the board of supervisors

elects to enact this ordinance, all rights, powers, duties, privileges, and immunities vested in a county by this article shall be vested in the county commission. Any reference in this article to "county" shall mean the commission established pursuant to this section.

The enabling ordinance shall specify the membership of the county commission, the qualifications for individual members, and such other matters as the board of supervisors deems necessary or convenient for the conduct of the county commission's activities. All commissioners shall be appointed by majority vote of the board of supervisors and shall serve at the pleasure thereof.

As an alternative to establishing a separate commission, the enabling ordinance may designate the board of supervisors itself as the commission authorized by this article.

SEC. 6. Section 14088 of the Welfare and Institutions Code is amended to read:

14088. For the purposes of this article, the following definitions shall apply:

(a) "Primary care provider" means any internist, general practitioner, obstetrician/gynecologist, pediatrician or family practice physician or any primary care clinic, rural health clinic, community clinic or hospital outpatient clinic holding a valid and current Medi-Cal provider number, which agrees to provide case management to Medi-Cal beneficiaries.

(b) "Case management" means responsibility for referral, consultation, ordering of therapy, admission to hospitals, followup care, and prepayment approval of referred services.

(c) "Designation form" or "form" means a form supplied by the department to be executed by a Medi-Cal beneficiary and an eligible primary care provider, setting forth the beneficiary's choice of primary care provider and an agreement to be limited by the case management decisions of that primary care provider and the provider's agreement to be responsible for that beneficiary's case management and medical care, as specified in this article.

(d) "Emergency services" means health care services rendered by an eligible Medi-Cal provider to a Medi-Cal beneficiary for those health services required for alleviation of severe pain or immediate diagnosis and treatment of unforeseen medical conditions which if not immediately diagnosed and treated could lead to disability or death.

SEC. 7. Section 1 of this act shall be effective only if SB 367 contains Section 1282 of the Health and Safety Code and if SB 367 is enacted during the 1983–84 Regular Session.

CHAPTER 1316

An act to amend Section 29850 of, and to add Section 29853.5 to, the Government Code, relating to public social services.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 29850 of the Government Code is amended to read:

29850. If any warrant issued by the county auditor is lost or destroyed before it is paid by the treasurer, the amount due may be recovered by the legal owner or custodian by filing with the auditor or his or her designee an affidavit setting forth the fact of the loss or destruction of the warrant, the number, date, amount, and name of the payee, and all material facts relative to its loss or destruction. The legal owner or custodian is entitled to file this affidavit at any time prior to the time the warrant becomes void.

SEC. 2. Section 29853.5 is added to the Government Code, to read:

29853.5. Notwithstanding Section 29853, a warrant issued pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code is considered lost if it has been mailed and has not been received by the addressee within seven days after the date of mailing or within such shorter period of time as determined by the county board of supervisors or the county welfare department.

SEC. 3. Notwithstanding Section 6 of Article XIII B of the California Constitution and Section 2231 or 2234 of the Revenue and Taxation Code, no appropriation is made by this act for the purpose of making reimbursement pursuant to these sections. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Chapter 3 (commencing with Section 2201) of Part 4 of Division 1 of that code.

SEC. 4. Notwithstanding Section 2231.5 of the Revenue and Taxation Code, this act does not contain a repealer, as required by that section; therefore, the provisions of this act shall remain in effect unless and until they are amended or repealed by a later enacted act.

CHAPTER 1317

An act to add Section 14417 to the Business and Professions Code, relating to corporations.

[Approved by Governor September 30, 1983. Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 14417 is added to the Business and Professions Code, to read:

14417. The filing of articles of incorporation pursuant to Section 200 of the Corporations Code shall not of itself authorize the use in this state of a corporate name in violation of the rights of another under the federal Trademark Act (15 U.S.C. Sec. 1051 et seq.), the Trademark Act (Chapter 2 (commencing with Section 14200) of Division 6), the Fictitious Business Name Act (Chapter 5 (commencing with Section 17900) of Division 7), or the common law, including rights in a trade name. The Secretary of State shall deliver a notice to this effect to each newly organized corporation.

CHAPTER 1318

An act to add and repeal Section 89500.5 of the Education Code, to amend Section 19996.21 of, to amend and repeal Sections 3572.5 and 22825.1 of, and to add Section 21252.02 to, the Government Code, relating to state employees.

[Approved by Governor September 30, 1983 Filed with Secretary of State September 30, 1983.]

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

SECTION 1. Section 89500.5 is added to the Education Code, to read:

89500.5. (a) Notwithstanding any other provision of law, for the 1983–84 fiscal year, the trustees shall, pursuant to the provisions of this chapter and other applicable provisions of law, provide by rule for employer's contributions to health benefits for employees, annuitants, or survivors for employees or annuitants of the California State University.

(b) Regardless of when this section becomes effective, it is the intent of the Legislature that this section shall be deemed operative July 1, 1983.

(c) This section shall become inoperative on July 1, 1984, and as of January 1, 1985, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 1985, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Section 3572.5 of the Government Code is amended to read:

3572.5. In the case where the following provisions of law are in conflict with a memorandum of understanding, the memorandum of understanding shall be controlling.

(a) Part 13 (commencing with Section 22000) of Division 1 of Title 1 of, Sections 66609, 89007, 89039, 89500, 89502, 89503, 89504, 89505, 89506, 89507, 89508, 89509, 89510, 89512, 89513, 89514, 89515, 89516, 89517, 89518, 89519, 89520, 89531, 89532, 89533, 89534, 89537, 89541, 89542, 89542.5, 89543, 89544, 89545, 89546, 89550, 89551, 89552, 89553, 89554, 89555, 89556, 89700 and 89701 of, the Education Code.

(b) Sections 825, 825.2, 825.6, 3569.5, 6700, 11020, and 11021 of, Chapter 4 (commencing with Section 18150) of Part 1 of Division 5 of Title 2 of, Sections 18200, 19823, 19830, 19831, 19839, 19841, 19842, 19847, 19848, 19850.1, 19850.2, 19850.3, 19850.4, 19850.5, 19850.6, 19851, 19852, 19853, 19854, 19856.1, 19858, 19858.1, 19859, 19861, 19862, 19863, 19863.1, 19864, 19866, 19867, and 19875 of, Article 4 (commencing with Section 19869) and Article 5 (commencing with Section 19878) of Chapter 2.5 of Part 2.6 of Division 5 of Title 2 of, and Section 22825.1 of, the Government Code.

(c) Sections 395, 395.01, 395.05, 395.1 and 395.3 of the Military and Veterans Code.

SEC. 3. Section 3572.5 of the Government Code, is amended to read:

3572.5. In the case where the following provisions of law are in conflict with a memorandum of understanding, the memorandum of understanding shall be controlling.

(a) Part 13 (commencing with Section 22000) of Division 1 of Title 1 of, Sections 66609, 89007, 89039, 89500, 89501, 89502, 89503, 89504, 89505, 89505.5, 89506, 89507, 89508. 89509, 89510, 89512, 89513, 89514, 89515, 89516, 89517, 89518, 89519, 89520, 89523, 89524, 89527, 89531, 89532, 89533, 89534, 89537, 89541, 89542, 89542.5, 89543, 89544, 89545, 89546, 89550, 89551, 89552, 89553, 89554, 89555, 89556, 89700 and 89701 of, the Education Code.

(b) Sections 825, 825.2, 825.6, 3569.5, 6700, 11020, and 11021 of, Chapter 4 (commencing with Section 18150) of Part 1 of Division 5 of Title 2 of, Sections 18200, 19841, 19848, 19850.6, 19864, and 19875 of, Article 4 (commencing with Section 19869) and Article 5 (commencing with Section 19878) of Chapter 2.5 of Part 2.6 of Division 5 of Title 2 of, and Section 22825.1 of, the Government Code.

(c) Sections 395, 395.01, 395.05, 395.1 and 395.3 of the Military and Veterans Code. the changes incorporated in this section made by the Statutes of 1983 shall be deemed operative July 1, 1983.

(e) This section shall become inoperative on July 1, 1984, and, as of January 1, 1985, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 1985, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 4. Section 19996.21 of the Government Code is amended to read:

19996.21. (a) It is the policy of the state that to the extent feasible, reduced worktime be made available to employees who are unable, or who do not desire, to work standard working hours on a full-time basis. Further, it is the intent of the Legislature that nothing in this act shall be used to reduce the number of full-time

equivalency positions authorized to any department.

(b) If the department determines that a reduction in the personnel of departments or agencies of state government equivalent to 1 percent or more or full-time equivalent jobs is contemplated in a single fiscal year, the director may conduct or may direct each affected department or agency to conduct a survey of either all permanent full-time employees or those permanent full-time employees most likely to be affected by the personnel reduction. The purpose of the survey shall be to determine the extent of the desire of employees to participate in voluntary reduced worktime.

The survey shall contain information clearly informing employees of potential worktime options, the effect reduced worktime would have on benefits, and the right to return fo full-time work as specified in Section 19996.24.

(c) The Department of Personnel Administration shall submit a yearly report to the Legislature on the 1st of February outlining the degree to which each department's reduced worktime program has lessened the need for a reduction of personnel as identified in subdivision (b) in the current and prior fiscal years.

SEC. 5. Section 21252.02 is added to the Government Code, to read:

21252.02. The combined current and prior service pensions for state safety members subject to this section with respect to state safety service which is subject to the provisions of this section is a pension derived from the contributions of the employer sufficient when added to the service retirement annuity which is derived from the accumulated normal contibutions of the state safety member at the date of his retirement to equal the fraction of one-fiftieth of his final compensation set forth opposite his age at retirement taken to the preceding completed quarter-year, in the following table, multiplied by the number of years of state safety service subject to this section with which he is credited at retirement.

Age at retirement	Fraction
50	1.0000
50¼	1.0125
50½	1.0250
50¾	1.0375
51	1.0500
51¼	1.0625
51½	1.0750
51¾	1.0875
52	1.1000
52¼	1.1125
52½	1.1250
52¾	1.1375
53	1.1500

53¼	1.1625
53½	1.1750
53¾	1.1875
54	1.2000
54¼	1.2125
54½	1.2250
54¾	1.2375
55 and over	1.2500

In no event shall the current service pension and the combined current and prior service pensions under this section for all service to all employers exceed an amount which, when added to the service retirement annuity related to such service, equals 75 percent of final compensation. If the pension relates to service to more than one employer, or this section and Section 21252.6, and would otherwise exceed such maximum, the pension payable with respect to each section or employer shall be reduced in the same proportion as the allowance bears to the total allowance computed as though there were no limit, so that the total of such pensions shall equal the maximum.

This section shall be applicable only to the state safety members who are represented in Corrections Unit No. 6, Protective Services and Public Safety Unit No. 7, and Firefighters Unit No. 8.

This section may be applied to related supervisory classes for the respective bargaining units specified in this section.

Separate actuarial computations shall be made with respect to the members in each respective bargaining unit specified in this section.

This section shall be operative with respect to members in each of the bargaining units specified in this section only if a memorandum of understanding is reached between the state and the exclusive bargaining agent in the respective unit pursuant to the State Employer-Employee Relations Act, Chapter 10.3 (commencing with Section 3512) of Division 4 of Title 1, which specifically agrees to the provisions of this section and which is approved by the Legislature pursuant to law.

The operative date of this section with respect to members in each of the bargaining units specified in this section shall be as provided for in the memorandum of understanding.

This section shall not apply to a person whose effective date of retirement is prior to the operative date of this section with respect to the bargaining unit of the person.

This section shall be known as, and may be cited as the Peace Officers' and Fire Fighters' Retirement Act.

Notwithstanding any of the foregoing provisions of this section, this section shall not in any event become operative with respect to or apply to any bargaining unit specified in this section or any employee in any bargaining unit specified in this section unless and until the effective date of a subsequent statute in which the Legislature establishes the related employer and employee

contribution rates.

The Legislature reserves the right to subsequently modify or amend this part in order to completely effectuate the intent and purposes of this section and the right to not provide any new comparable advantages if disadvantages to employees result from any such modification or amendment.

SEC. 6. Section 22825.1 of the Government Code is amended to read:

22825.1. (a) Notwithstanding any other provision of this article, the employer's contribution, with respect to each state officer and employee or an annuitant who was in such employment or office including an academic position with a campus of the California State University or is a survivor of such person, shall be adjusted by the Legislature in the annual Budget Act. Annual adjustments of the dollar amounts therein shall be based upon the principle that the employer's contribution for each employee or annuitant shall be an amount equal to 100 percent of the weighted average of the premiums required for basic and related major medical plans with respect to employees or annuitants enrolled for self alone plus 90 percent of the weighted average of the additional premiums required for enrollment of family members in basic and major medical plans as applicable for the level of benefits offered by (1) the statewide service plan contracted by the state; (2) the statewide indemnity plan contracted by the state; (3) the two prepaid comprehensive medical-hospital plans with the largest number of enrollments contracted by the state, as determined by the board, whichever is less. There shall be only one such contribution with respect to all annuitants receiving allowances as survivors of the same employee or annuitant.

The employer's contribution under this section for each employee shall commence on the effective date of his enrollment.

The contribution of each employee and annuitant shall be the total cost per month of the benefit coverage afforded him under the plan or plans less the portion thereof to be contributed by the employer.

(b) If the provisions of this section are in conflict with the provisions of a memorandum of understanding reached pursuant to Section 3517.5 or Chapter 12 (commencing with Section 3560) of Division 4 of Title 1, the memorandum of understanding shall be controlling without further legislative action, except that if such provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act.

SEC. 7. Section 3 of this bill incorporates amendments to Section 3572.5 of the Government Code proposed by both this bill and SB 183. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 1984, (2) each bill amends Section 3572.5 of the Government Code, and (3) this bill is enacted after SB 183, in which case Section 2 of this bill shall not become operative.

CHAPTER 1319

An act to add Section 35557 to the Vehicle Code, relating to transportation.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983.]

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

SECTION 1. Section 35557 is added to the Vehicle Code, to read:

35557. (a) Only upon request to, and approval by, and in accordance with regulations adopted by, the Director of Food and Agriculture, all of the following are available for inspection by district attorneys and are subject to legal process for admission in any criminal or civil proceeding arising out of a violation of this chapter:

(1) Vehicle weight certificates issued on or after January 1, 1984, pursuant to Chapter 7 (commencing with Section 12700), Chapter 7.3 (commencing with Section 12740), and Chapter 7.7 (commencing with Section 12770) of Division 5 of the Business and Professions Code.

(2) Other records of vehicle weight relating to those certificates.

(3) Copies of those certificates and records.

(b) All certificates, records, and copies thereof, issued before January 1, 1984, shall not be available for inspection and are not admissible in any criminal or civil proceedings arising out of a violation of this chapter.

CHAPTER 1320

An act to add and repeal Article 9 (commencing with Section 130400) to Chapter 4 of Division 12 of the Public Utilities Code, and to amend and repeal Section 7252 of the Revenue and Taxation Code, relating to transportation.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983.]

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

SECTION 1. Article 9 (commencing with Section 130400) is added to Chapter 4 of Division 12 of the Public Utilities Code, to read:

Article 9. Transaction and Use Taxes in the County of Orange

130400. As used in this article:

(a) "Commission" means the county transportation commission created in Orange County pursuant to Section 130000.

(b) "County" means the County of Orange.

(c) "Transit operations" means all activities related to operating a transit system other than the purchase, construction, and maintenance of equipment, vehicles, and facilities for public transit purposes.

130400.5. The Legislature, by the enactment of this article, intends the county and cities therein to use any additional funds provided them by this article to supplement existing local revenues being used for public transportation purposes. The county and the cities therein are further encouraged to maintain their existing commitment of local funds for public transportation purposes.

130401. A retail transactions and use tax ordinance applicable in the incorporated and unincorporated territory of the county may be adopted by the commission in accordance with Section 130410 and Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, if a majority of the electors voting on the measure vote to approve its imposition at a special election called for that purpose by the commission and an expenditure plan is adopted pursuant to Section 130406.

130402. The commission, in the ordinance, shall state the nature of the tax to be imposed, shall provide the tax rate or rates or the maximum tax rate or rates, and shall specify the purposes for which the revenue derived from the tax will be used.

130403. (a) The County of Orange shall conduct the special election called by the commission pursuant to Section 130401, and the commission shall reimburse the county for its cost in conducting the special election.

(b) The special election shall be called and conducted in the same manner as provided by law for the conduct of special elections by a county.

130404. (a) Any transactions and use tax ordinance adopted pursuant to this article shall be operative on the first day of the first calendar quarter commencing more than 120 days after adoption of the ordinance.

(b) Prior to the operative date of the ordinance, the commission shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of the ordinance.

130405. The revenues from the taxes imposed pursuant to this article may be allocated by the commission for public transportation purposes, including, but not limited to, construction, maintenance, and operation of streets, roads, and highways, and the construction and maintenance of public transit systems, including exclusive public mass transit guideway systems, available now or hereafter. The revenues may also be used for improvements to the state highway system in the manner otherwise provided by law. However, the revenues shall not be allocated for transit operations.

130406. (a) If the commission decides to adopt a retail transactions and use tax pursuant to this article, the commission shall

review and assess the needs for the public transportation purposes specified in Section 130405. As part of this review and assessment, the commission shall solicit proposals for public transportation purposes from the Department of Transportation, the county, and the cities therein, and all public transit operators within the county. The commission shall adopt a procedure for evaluating these proposals in consultation with the Department of Transportation, the county, and the cities therein, and all public transit operators within the county.

(b) Based on the evaluation, the commission shall prepare a plan for the expenditure of the revenues expected to be derived from the tax provided for in this article, together with other federal, state, and local funds expected to be available for transportation improvements, for a period of 15 years.

(c) The expenditure plan shall include projections of revenues and expenditures for capital, maintenance, and operations purposes for categories of transportation facilities, including, but not limited to, freeways, arterial roads, local streets and roads, and transit.

(d) The commission shall not adopt the expenditure plan until it has received the approval of the board of supervisors and the city councils representing both a majority of the cities in the county and a majority of the population residing in incorporated areas of the county. Before adoption of an expenditure plan, the commission shall also conduct public hearings on that plan.

(e) The expenditure plan shall be finally adopted prior to the call of the election provided for in Section 130401. An amendment to the expenditure plan subject to protest pursuant to paragraph (3) of subdivision (c) of Section 130407 shall be finally adopted by the commission after approval of the board of supervisors and the cities as specified in this section and public hearings on the amendments, and the amendment is effective upon that final adoption by the commission.

130407. (a) The commission may annually review and propose amendments to the expenditure plan adopted pursuant to Section 130406 to provide for the use of additional federal, state, and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances.

(b) The commission shall notify the board of supervisors and the city council of each city in the county and provide them with a copy of the proposed amendments.

(c) The proposed amendments shall become effective 45 days after notice is given pursuant to subdivision (b) except as follows:

(1) If the proposed amendment deletes a project which is included in the original adopted expenditure plan and which is located entirely within a city, the proposed amendment shall become effective only if the city council of the affected city, by resolution, concurs with the deletion of the project.

(2) If the proposed amendment deletes a project which is included in the original adopted expenditure plan and which is located entirely in the unincorporated area of the county, the

proposed amendment shall become effective only if the board of supervisors, by resolution, concurs with the deletion of the project.

(3) In all cases other than those set forth in paragraphs (1) and (2), the proposed amendment shall become effective unless the board of supervisors, or city councils representing 25 percent of the cities in the county, adopt a resolution protesting the proposed amendments. If protested, the proposed amendments shall become effective only if the commission follows the approval procedure in subdivision (d) of Section 130406.

130408. The expenditure plan adopted pursuant to Section 130406, and any amendment adopted pursuant to Section 130407, shall include a provision for an annual allocation of funds to the county and the cities therein for public transportation purposes.

In making annual allocations to the county and the cities therein, the commission may allocate the proceeds of any limited tax bonds authorized by the voters pursuant to Section 130412.

130409. An amended expenditure plan adopted pursuant to Section 130407 may include a provision to reduce a tax rate to percentages lower than that approved by the voters and may further provide for an increase of the tax rate if it has previously been lowered; but the tax rate may not be increased to a rate above the tax rate approved by the voters. Any revised tax rate may be adopted only if the commission determines, by a two-thirds vote, that the proceeds of the taxes with the altered tax rate will be sufficient to provide for the payment of principal and interest of any limited tax bonds and any other indebtedness incurred by the commission which was to be payable from the proceeds of the retail transactions and use tax.

130409.5. If a retail transactions and use tax is adopted pursuant to this article, the commission shall prepare and submit a report to the Department of Transportation, to the board of supervisors, to the city council of each city in the county, and to each public transit operator within the county on or before January 1 of the year following the end of the first full fiscal year after the date that the taxes are imposed pursuant to this article and annually thereafter. The report shall evaluate, and report the progress made in, the implementation of the expenditure plan in the preceding fiscal year.

130410. (a) The commission is authorized to impose a maximum tax rate of 1 percent under this article and Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, and the commission may state the maximum tax rate in terms of not to exceed 1 percent, or any lesser percentage thereof. The commission shall not levy the tax at a rate other than 1 percent or ¾, ½, or ¼ of 1 percent, unless specifically authorized by the Legislature.

(b) The commission, in the ordinance, shall provide for limitations upon the time when the tax shall be in effect. Any tax rate or maximum tax rate adopted pursuant to this article, unless otherwise prohibited, may be increased when authorized by the

commission by ordinance adopted in the manner and by the vote stated in Section 130401 and approved by a majority of the electors voting on the measure at an election called for that purpose by the commission.

130411. (a) The actual wording of the proposition on any short form of ballot card, label, or other device, regardless of the system of voting used, shall read as follows:

TRANSPORTATION-ORANGE COUNTY TRANSPORTATION COMMISSION To improve, expand, construct, maintain, and operate the transportation system in the county, this proposition authorizes the Orange County Transportation Commission to adopt a ___ percent sales tax solely for transportation purposes.	YES	
	NO	

(b) The proposition shall set forth the actual percent of the transactions and use tax upon which the electors are voting.

(c) The sample ballot to be mailed to the voters, under Section 10010 of the Elections Code, shall be the full proposition as set forth in the ordinance calling the election.

130412. The commission may, as part of the same ballot proposition to approve the imposition of a retail transactions and use tax, seek authorization to issue bonds payable solely from the proceeds of the retail transactions and use tax. The maximum bonded indebtedness which may be authorized shall be an amount equal to the sum of the principal and interest on the bonds not to exceed the estimated proceeds of the retail transactions and use tax for a period of 30 years. The actual wording of the proposition on any short form of ballot card, label, or other device, regardless of the system of voting used, shall read as follows:

TRANSPORTATION-ORANGE COUNTY TRANSPORTATION COMMISSION To improve, expand, construct, maintain, and operate the transportation system in the county, this proposition authorizes the Orange County Transportation Commission to adopt a ___ percent sales tax solely for transportation purposes and/or to issue bonds payable from the proceeds of that sales tax.	YES	
	NO	

130413. The commission may further, as part of the same proposition, submit to the voters a proposal to increase any appropriations limits heretofore imposed upon the commission by the amount of the proceeds of the sales tax not entitled to an exemption from those limits as debt service. In this case, the ballot proposition shall, in addition to the language set forth in Sections 130411 and 130412, further include the following words: "and increases the appropriations limit."

130420. (a) The bonds authorized by the voters concurrently with the approval of the retail transactions and use tax may be issued by the commission at any time, and from time to time, payable solely from the proceeds of the tax. The bonds shall be referred to as "limited tax bonds."

(b) The pledge of retail transactions and use taxes to the limited tax bonds authorized under this article shall have priority over the use of any of the funds for "pay-as-you-go" financing except to the extent that that priority is expressly restricted in the resolution providing for the issuance of the bonds.

130421. (a) Limited tax bonds shall be issued pursuant to a resolution adopted at any time, and from time to time, by the commission by a two-thirds vote of all members of the commission. Each resolution shall provide for the issuance of bonds in such amounts as the necessity therefor may appear, until the full amount of the bonds authorized shall have been issued. The full amount of bonds may be divided into two or more series and different dates of payment fixed for the bonds of each series. A bond need not mature on its anniversary date.

(b) A resolution providing for the issuance of bonds shall state all of the following:

(1) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs incidental to or connected with the accomplishment of those purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant and other fees, bond and other reserve funds, working capital, bond interest estimated to accrue during the construction period and for a period not to exceed three years thereafter, and expenses of all proceedings for the authorization, issuance, and sale of the bonds.

(2) The estimated cost of accomplishing the purposes.

(3) The amount of the principal of the indebtedness.

(4) The maximum term the bonds, proposed to be issued, shall run before maturity, which shall not exceed 31 years from the date thereof or the date of each series thereof.

(5) The maximum rate of interest to be paid, which shall not exceed the maximum allowable by law.

(6) The denomination or denominations of the bonds, which shall not be less than five thousand dollars ($5,000).

(7) The form of the bonds, including, without limitation, registered bonds and coupon bonds, to the extent permitted by federal law, and the form of any coupons to be attached thereto, the registration, conversion, and exchange privileges, if any, pertaining thereto, and the time when the whole or any part of the principal shall become due and payable.

(c) The resolution may also contain any other matters authorized by this article or any other law.

130422. (a) The bonds shall bear interest at a rate or rates not exceeding the maximum allowable by law, payable semiannually, except that the first interest payable on the bonds or any series thereof may be for any period not exceeding one year as determined by the commission.

(b) In the resolution or resolutions providing for the issuance of the bonds, the commission may also provide for call and redemption of the bonds prior to maturity at such times and prices and upon such other terms as it may specify, provided that no bond shall be subject to call or redemption prior to maturity unless it contains a recital to that effect or unless a statement to that effect is printed thereon.

(c) The principal of and interest on the bonds shall be payable in lawful money of the United States at the office of the treasurer of the County of Orange or at such other place or places as may be designated, or at either place or places at the option of the holders of the bonds.

(d) The bonds, or each series thereof, shall be dated and numbered consecutively and shall be signed by the chairman or vice chairman of the commission and the auditor-controller of the County of Orange, and the official seal of the commission attached. The interest coupons of such bonds shall be signed by the auditor-controller of the County of Orange. All of the signatures and seal may be printed, lithographed, or mechanically reproduced, except that one of the signatures on the bonds shall be manually affixed. If any officer whose signature appears on bonds or coupons ceases to be such an officer before the delivery of the bonds, the officer's signature is as effective as if the officer had remained in office.

130423. (a) The bonds may be sold as the commission determines by resolution. The commission may sell the bonds at a price below par; provided, however, that the discount on any bonds so sold shall not exceed 5 percent of the par value thereof.

(b) Before selling the bonds, or any part thereof, the commission shall give notice inviting sealed bids in any manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if the commission determines that the bids received are not satisfactory as to price or responsibility of the bidders, the commission may reject all bids received, if any, and either

readvertise or sell the bonds at private sale.

130424. Delivery of any bonds may be made at any place either inside or outside the state, and the purchase price may be received in cash or bank credits.

130425. All accrued interest and premiums received on the sale of bonds shall be placed in the fund to be used for the payment of principal of and interest on the bonds and the remainder of the proceeds of the bonds shall be placed in the treasury of the commission and applied to secure the bonds or for the purposes for which the debt was incurred; provided, however, that when the purposes have been accomplished, any moneys remaining shall be either (a) transferred to the fund to be used for the payment of principal of and interest on the bonds or (b) placed in a fund to be used for the purchase of outstanding bonds of the commission from time to time in the open market at such prices and in such manner, either at public or private sale or otherwise, as the commission may determine. Bonds so purchased shall be canceled immediately.

130430. (a) The commission may provide for the issuance, sale, or exchange of refunding bonds to redeem or retire any bonds issued by the commission upon the terms, at the times and in the manner which it determines.

(b) Refunding bonds may be issued in a principal amount sufficient to pay all, or any part of, the principal of the outstanding bonds, the premiums, if any, due upon call and redemption thereof prior to maturity, all expenses of the refunding, and either (a) the interest upon the refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded out of the proceeds of the sale of the refunding bonds, or to the date upon which the bonds to be refunded will be paid pursuant to call or agreement with the holders of such bonds or (b) the interest upon the bonds to be refunded from the date of sale of the refunding bonds to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid pursuant to call or agreement with the holders of the bonds.

(c) The provisions of this article for the issuance and sale of bonds apply to the issuance and sale of refunding bonds.

130435. (a) The commission may borrow money in anticipation of the sale of bonds which have been authorized pursuant to this article, but which have not been sold and delivered, and may issue negotiable bond anticipation notes therefor and may renew the bond anticipation notes from time to time, but the maximum maturity of any bond anticipation notes, including the renewals thereof, shall not exceed five years from the date of delivery of the original bond anticipation notes.

(b) The bond anticipation notes, and the interest thereon, may be paid from any moneys of the commission available therefor, including the revenues from the retail transactions and use taxes imposed pursuant to this article. If not previously otherwise paid, the bond anticipation notes, or any portion thereof, or the interest

thereon, shall be paid from the proceeds of the next sale of the bonds of the commission in anticipation of which the notes were issued.

(c) The bond anticipation notes shall not be issued in any amount in excess of the aggregate amount of bonds which the commission has been authorized to issue, less the amount of any bonds of the authorized issue previously sold, and also less the amount of other bond anticipation notes therefor issued and then outstanding. The bond anticipation notes shall be issued and sold in the same manner as the bonds.

(d) The bond anticipation notes and the resolution or resolutions authorizing them may contain any provisions, conditions, or limitations which a resolution of the commission authorizing the issuance of bonds may contain.

130440. Any bonds which shall be issued under the provisions of this article shall be legal investment for all trust funds; for the funds of insurance companies, commercial and savings banks, and trust companies; and for state school funds; and whenever any money or funds may, by any law now or hereafter enacted, be invested in bonds of cities, cities and counties, counties, school districts, or other districts within the state, that money or funds may be invested in the bonds issued under this article, and whenever bonds of cities, cities and counties, counties, school districts, or other districts within this state may, by any law now or hereafter enacted, be used as security for the performance of any act or the deposit of any public moneys, the bonds issued under this article may be so used. The provisions of this article shall be in addition to all other laws relating to legal investments and shall be controlling as the latest expression of the Legislature with respect thereto.

130441. Any action or proceeding wherein the validity of the adoption of the retail transactions and use tax ordinance provided for in this article or the issuance of any bonds thereunder or any of the proceedings in relation thereto is contested, questioned, or denied, shall be commenced within six months from the date of the election at which the ordinance is approved; otherwise, the bonds and all proceedings in relation thereto, including the adoption and approval of the ordinance, shall be held to be valid and in every respect legal and incontestable.

130442. If the measure to adopt the transaction and use tax pursuant to Section 130401 is not submitted to the electors on or before December 31, 1985, then this article shall remain in effect only until January 1, 1986, and as of that date is repealed unless a later enacted statute, which is chaptered before January 1, 1986, repeals or extends that date.

SEC. 2. Section 7252 of the Revenue and Taxation Code is amended to read:

7252. "District," as used in this part, means any county, transit district, or rapid transit district authorized, or the Los Angeles County Transportation Commission or the Orange County Transportation Commission if authorized, to impose transaction and

use taxes pursuant to this part.

If the measure to adopt the transaction and use tax pursuant to Section 130401 of the Public Utilities Code is not submitted to the electors of the County of Orange on or before December 31, 1985, then this section shall remain in effect only until January 1, 1986, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1986, deletes or extends that date. If that date is not deleted or extended, then, on and after January 1, 1986, pursuant to Section 9611 of the Government Code, Section 7252 of the Revenue and Taxation Code, as amended by Section 11 of Chapter 652 of the Statutes of 1977, shall have the same force and effect as if this temporary provision had not been enacted.

SEC. 3. This bill shall become operative only if Assembly Bill 465 of the 1983–84 Regular Session of the Legislature is enacted and becomes operative, in which case this bill shall become operative on the operative date of Assembly Bill 465.

SEC. 4. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because this act is in accordance with the request of a local agency or school district which desired legislative authority to carry out the program specified in this act.

CHAPTER 1321

An act to amend Section 6357.5 of the Revenue and Taxation Code, and to repeal Section 7 of Chapter 1077 of the Statutes of 1980, relating to taxation, to take effect immediately, tax levy.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983.]

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

SECTION 1. Section 6357.5 of the Revenue and Taxation Code is amended to read:

6357.5. (a) There are exempted from the taxes imposed by this part the gross receipts from the sale of and storage, use, or other consumption in this state of gasohol.

(b) This exemption shall not apply to that amount of gross receipts in excess of the amount of gross receipts, subject to sales or use tax, that would result in a sales or use tax of three cents ($0.03) per gallon of gasohol sold on and after January 1, 1983, until January 1, 1987.

(c) For purposes of this section:

(1) "Gasohol" means a motor vehicle fuel composed of a blend of motor gasoline and not less than 10 percent alcohol. The alcohol component may be methanol or ethanol.

(2) Commencing on and after January 1, 1981, the alcohol

component in gasohol shall be distilled from agricultural commodities, renewable resources, or coal.

(3) Commencing on and after January 1, 1981, the alcohol in gasohol shall be rendered unsuitable for human consumption at the time of its manufacture or immediately thereafter.

(d) This section shall remain in effect only until January 1, 1987, and on that date is repealed, unless a later enacted statute, which is chaptered on or before that date, deletes or extends that date.

SEC. 2. Section 7 of Chapter 1077 of the Statutes of 1980 is repealed.

SEC. 3. (a) Notwithstanding the provisions of Section 40182 of the Revenue and Taxation Code, the General Fund shall be reimbursed from the Energy Resources Program Account for the state revenue loss incurred as a result of this act through June 30, 1984. After that date, the Transportation, Planning, and Development Account, as constituted under Section 7102 of the Revenue and Taxation Code, shall be fully reimbursed for any revenue loss caused as a result of this act. In the event full reimbursement is not made, or alternate funding for this act is not provided in the Budget Act, without resulting in a revenue loss to the Transportation, Planning, and Development Account, on or before June 30, 1984, Section 6357.5 of the Revenue and Taxation Code shall be inoperative on that date. Any outstanding claims for exemption existing on or before that date shall be paid pursuant to Section 6357.5 of the Revenue and Taxation Code.

(b) Notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made by this act and the state shall not reimburse any local agency for any sales and use tax revenues lost by it under this act.

SEC. 4. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect. However, the provisions of this act shall become operative on the first day of the first calendar quarter commencing more than 90 days after the effective date of this act.

CHAPTER 1322

An act to amend Sections 30503 and 30634 of, to add Chapter 12 (commencing with Section 33000) to Part 3 of Division 10 of, and to repeal Section 30008 of, the Public Utilities Code, and to amend Section 5101.5 of the Streets and Highways Code, relating to public improvements.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983.]

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

SECTION 1. Section 30008 of the Public Utilities Code, as added by Chapter 497 of the Statutes of 1983, is repealed.

SEC. 2. Section 30503 of the Public Utilities Code, as amended by Chapter 497 of the Statutes of 1983, is amended to read:

30503. The district may exercise the right of eminent domain within the boundaries of the district to take any property necessary, incidental, or convenient to the exercise of the powers granted in this part.

SEC. 3. Section 30634 of the Public Utilities Code, as amended by Chapter 497 of the Statutes of 1983, is amended to read:

30634. (a) The district may enter into agreements for the joint use or joint development of any property or rights by the district and any city, public agency, or public utility operating transit facilities or nontransit facilities, or both, or any other person, firm, corporation, association, organization, or other entity, public or private, either, in whole or in part, within or outside the district, for the joint use or development of any property of the district or of the city, public agency, public utility, person, firm, corporation, association, organization, or other entity, public or private, or the establishment of through routes, joint fares, station cost-sharing, connector fees, or land, air, or development rights sales or leasing, transfer of passengers, pooling arrangements, or for any other purpose necessary for, incidental to, or convenient for the full exercise of the powers granted in this part. As to any service which the district is authorized to perform pursuant to this part, the district may contract for the performance of the service by any city, county, or public utility operating transit facilities, the territory of which is, in whole or in part, within the district.

(b) "Joint development" includes, but is not limited to, agreements with any person, firm, corporation, association, organization, or other entity, public or private, to develop or to engage in the planning, financing, or construction of district facilities or development projects adjacent, or physically or functionally related, to district facilities.

(c) Notwithstanding any other provision of this part, no joint development of nontransit facilities may be accomplished without the prior approval of the legislative body of the local jurisdiction within which the development is to take place.

(d) "Transit facilities," as used in this section, includes land, buildings, and equipment, or any interest therein, whether or not the operation thereof produces revenue, which have as their primary purpose the operation of a rail transit system or the providing of services to the passengers of a rail transit system.

(e) "Nontransit facilities," as used in this section, includes any land, buildings, or equipment, or interest therein, which is used primarily for the production of transit revenue not arising from the operation of a rail transit system.

SEC. 4. Chapter 12 (commencing with Section 33000) is added to Part 3 of Division 10 of the Public Utilities Code, to read:

CHAPTER 12. SPECIAL BENEFIT ASSESSMENT DISTRICTS

33000. The Legislature finds and declares that:

(a) It is necessary and in the best interest of the citizens of the state to authorize the Southern California Rapid Transit District to levy special benefit assessments for needed public rail rapid transit facilities and services on the property which benefits from those facilities and services.

(b) The rail rapid transit facilities and services provide special benefits to parcels of land, and improvements thereon, in the vicinity of rail rapid transit stations, and provide general benefits to the community at large. The Board of Directors of the Southern California Rapid Transit District shall be the conclusive judge of the proportion of special and general benefits produced by the facilities and of the distribution of the special benefits among parcels of property within the benefit assessment district.

33001. (a) Whenever the board finds that property adjacent to, or in the vicinity of, one or more rail transit stations, or proposed rail transit stations, of the district receives or will receive special benefit by reason of the location or operation of one or more of those rail transit stations, the board may, by resolution adopted by a two-thirds vote of its members, provide for notice and hearing on its intention to establish one or more special benefit districts and to levy a special benefit assessment on real property therein for the purpose of financing, in whole or in part, the acquisition, construction, development, joint development, operation, maintenance, or repair of one or more rail transit stations and rail transit related facilities located within the benefit district.

(b) For purposes of this chapter, "benefit district" means a special benefit assessment district established pursuant to this chapter, the area of which shall not lie more than one mile from the center point of any rail transit station or proposed rail transit station within the central business district of the City of Los Angeles and shall not lie more than one-half mile from the center point of any rail transit station or proposed rail transit station at any other location. "Central business district of the City of Los Angeles" means that area within the City of Los Angeles lying east of the Harbor Freeway (State Highway Route 11).

(c) The resolution may provide that the proposed benefit district will contain separate zones, which may consist of either contiguous or noncontiguous areas of land within the district. The proposed benefit district and each proposed zone, if any, therein shall be an area adjacent to, or in the vicinity of, one or more rail transit stations or proposed rail transit stations. The boundaries of the benefit district and of each zone, if any, therein shall be drawn so as to reflect, as accurately as possible, the areas in which special benefits are

conferred by reason of the proximity and operation of one or more rail transit stations.

(d) The notice stating the time and place of the hearing, and setting forth the boundaries and purpose of the proposed benefit district, shall be published prior to the time fixed for the hearing pursuant to Section 6066 of the Government Code.

(e) Notice shall also be mailed at least 30 days prior to the hearing to all owners of real property within the boundaries of the proposed benefit district whose names and addresses appear on the last equalized assessment roll or are otherwise known to the Board of Supervisors of the County of Los Angeles or to the district.

(f) For purposes of this chapter, "transit related facilities" means land, buildings and equipment or any interest therein, whether or not the operation thereof produces revenue, which has, as its primary purpose, the operation of the rail transit system or the providing of services to the passengers of the rail transit system, but does not mean any land, buildings, or equipment, or interest therein, which is used primarily for the production of revenue not arising from the operation of the rail transit system.

33001.5. (a) At the time and place fixed for the hearing on the establishment of the benefit district, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing, interested persons may appear and present matters material to the proposed board action. At the conclusion of the hearing, the board shall, by a resolution adopted by a two-thirds vote of its members, determine whether to proceed with the proposed action.

The resolution shall state, as appropriate, the maximum and minimum rate of assessment, the amount of the special benefit assessment and the purposes for which it is to be levied, the estimated cost of accomplishing the purposes, and the dates or approximate intervals at which the assessment shall be levied. The resolution shall also state that the exterior boundaries of the benefit district are set forth on a map on file with the secretary of the district, which map shall govern for all purposes as to the extent of the benefit district and zones, if any, therein and that the area set forth on the map shall thereupon constitute and be known as "Benefit District No. ____ of the Southern California Rapid Transit District," or as "Benefit Zone ____ of the Benefit District No. ____ of the Southern California Rapid Transit District," as designated by the board.

(b) The resolution shall be submitted to the governing body. The governing body shall, after a public hearing conducted by the governing body and prior to the creation of the benefit district, approve, or amend and approve, as amended, or disapprove the geographic boundaries of the benefit district and the method of assessment. The resolution of approval or disapproval from the governing body shall be returned to the board.

(c) The board shall, by a two-thirds vote of its members, determine whether to create the benefit district as approved by the

governing body. If the board decides to proceed with creating the benefit district as approved by the governing body, the board may, in addition to any amendments made by the governing body, reduce the size of the benefit district, but in so doing shall not include any territory not included in the benefit district approved by the governing body nor change the approved method of assessment. The determination by the board is final and conclusive.

(d) For purposes of this section, "governing body" means the city council of a city in which the proposed benefit district is located or, if the benefit district is located in unincorporated territory, the board of supervisors of the county in which the proposed benefit district is located.

(e) The board may provide in the resolution, or in a later resolution adopted by a two-thirds vote of the members of the board, for changes in the assessment to particular real property within the benefit district or any zone therein arising out of changes in the parcel area or floor area of that real property.

33002. (a) In determining the amount of a special benefit assessment, the board may measure the benefit to real property in the benefit district or zones therein by the parcel area of unimproved real property and by the parcel area and the floor area of real property and improvements thereto of improved real property, as deemed appropriate by a resolution adopted by a two-thirds vote of the members of the board.

(b) The special benefit assessment constitutes a charge imposed on particular real property for a district project of direct benefit to that property, and does not constitute ad valorem taxes or any other form of general tax levy applying a given rate to the assessed valuation of all taxable property within the district.

(c) The district shall possess all powers necessary for, incidental to, or convenient for the collection, enforcement, administration, or distribution of the special benefit assessment in accordance with California law.

(d) The revenue from a special benefit assessment, which is imposed pursuant to this chapter, or from bonds secured by such a special benefit assessment, for the purpose of financing a rail transit station or rail transit related facility located within the benefit district, shall be used only for financing of the facility for which it was levied, and that revenue shall not be used for any other purpose or the payment of any other expense of the district, including, but not limited to, transit, transportation, or operating expense.

33002.1. The board may order benefit assessment without an election, except as otherwise provided in Section 33002.2.

33002.2. An election shall be held if the board finds that a petition requesting that the proposal be submitted to confirmation by the voters has been signed by the owners of at least 25 percent of the assessed value of real property within the benefit district.

33002.3. (a) For purposes of this chapter, "voter" means an owner of real property which is assessed or proposed to be assessed

under this chapter and which is within the boundaries of the benefit district.

(b) In any election conducted under this chapter, each voter in the benefit district may cast one vote for each one thousand dollars ($1,000), or fraction thereof, worth of land or improvements owned by the voter in the benefit district as is shown on the most recent equalized assessment roll.

33002.4. (a) Where land in the benefit district is owned in joint tenancy, tenancy in common, or any other multiple ownership, the owners of that land shall designate in writing which one of the owners shall be deemed the owner of that land for purposes of qualifying as a voter.

(b) The legal representative of a corporation or an estate owning real property in the benefit district may act on behalf of the corporation or the estate.

(c) (1) For purposes of this chapter, "legal representative" means an official of a corporation owning real property in the benefit district.

(2) For purposes of this chapter, "legal representative" also means a guardian, conservator, executor, or administrator of the estate of the holder of title to real property in the benefit district who is all of the following:

(A) The person is appointed under the laws of this state.

(B) The person is entitled to the possession of the estate's real property.

(C) The person is authorized by the appointing court to exercise the particular right, privilege, or immunity which he or she seeks to exercise.

(d) Before a legal representative acts as a voter at a district election, the legal representative shall present to the precinct board a certified copy of his or her authority which shall be kept and filed with the returns of the election.

33002.5. The petition for confirmation by the voters shall be filed with the board within 30 days after the conclusion of the public hearing required by Sections 33001 and 33001.5. If a petition meeting the requirements of Section 33002.2 is filed, the board shall adopt a resolution approving the proposal to form a benefit district subject to confirmation by the voters of the benefit district.

33002.6. After the board has adopted a resolution approving the proposal to form a benefit district under Section 33002.5, but before the board may levy any assessment, the board shall call an election in the benefit district for the purpose of submitting to the voters the proposition of levying the assessment by the benefit district. The resolution calling the election shall state each of the items required to be contained in the resolution adopted pursuant to Section 33001.5.

33002.7. The board shall submit the proposition of levying an assessment to the voters of the benefit district in a special election to be held within 90 days following the adoption of the resolution

calling an election. The provisions of the Elections Code relating to the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, insofar as they may be applicable, shall govern all elections conducted pursuant to this chapter.

Ballots for the special election may be distributed to voters by mail with return postage prepaid, and shall be received by the district either by mail or hand delivery at the address shown on the postage prepaid envelope no later than 5:00 p.m. on the special election day.

The district shall pay to the county the reasonable expenses that the county incurs in conducting an election under this chapter, and the district may expend funds collected from the benefit assessment approved pursuant to the election for this purpose.

33002.8. If a majority of the votes cast at the election conducted under this chapter approve the proposition, the board may levy the assessment pursuant to the resolution adopted pursuant to Section 33002.

33002.9. (a) Any owner or owners of real property, which is, in whole or in part, within the benefit district, or their legal representatives, may jointly or severally file with the board a petition requesting that the real property owned by them or for which they are the legal representative be excluded from the benefit district on the ground that the real property sought to be excluded is not benefited or that the assessment be reduced on the ground that the assessment exceeds the benefit to that real property.

(b) The real property sought to be excluded or upon which the assessment is sought to be reduced shall be described by its legal description and shall be accompanied by a map depicting its location in relation to the benefit district.

(c) The petition shall contain a statement of facts in support of the petition and shall be acknowledged by the owner or the legal representative filing the petition.

33002.10. Notice of each hearing upon the petition for exclusion or reduction shall be given in accordance with subdivisions (d) and (e) of Section 33001.

33002.11. At the time and place provided in the notice or at any time and place to which the hearing is adjourned, the board or its appointed hearing officer shall hear all the following:

(a) The petition for exclusion or reduction.

(b) All evidence or proofs that may be introduced by or on behalf of the petitioners.

(c) All objections to the petition that may be presented in writing by any person, including the district.

(d) All evidence or proofs that may be introduced in support of objections to the petition.

33002.12. The expenses of giving the notice provided for herein and of the hearing on the exclusion or reduction petition shall be paid by the persons filing the petition.

33002.13. Upon the hearing on an exclusion or reduction petition

by the board, or upon the record of hearing by a hearing officer, the board shall order the petition be denied when the petitioner has not shown by a preponderance of the evidence that in an exclusion petition his or her real property is not benefited or in a reduction petition that the assessment exceeds the benefit to the property.

33002.14. The board, after the hearing on an exclusion or reduction petition, shall order one of the following by resolution:

(a) In the case of an exclusion petition, order the exclusion of all or any part of the real property described in the petition upon its finding that the property will not be benefited by the operations of the district in the vicinity of the benefit district.

(b) In the case of a reduction petition, order a change in the benefit assessment to all or any portion of the real property described in the petition to provide that it not exceed the amount of benefit derived by the operations of the district in the vicinity of the benefit district.

(c) Confirm the assessment on the real property subject to the petition as correctly reflecting the amount of benefit to the real property.

33003. (a) Following formation of the benefit district or concurrently therewith, if the board deems it necessary to incur a bonded indebtedness for the acquisition, construction, development, joint development, completion, operation, maintenance, or repair of one or more rail transit stations and related rail transit facilities located within the benefit district, the board may provide, by resolution, that the bonded indebtedness shall be payable from special benefit assessments levied within the benefit district. The resolution shall be adopted by a two-thirds vote of the members of the board, and shall declare and state all of the following:

(1) That the board intends to incur an indebtedness, by the issuance of bonds of the district, for the benefit district which the board has formed, or intends to form, within a portion of the district.

(2) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs necessary or convenient for, incidental to, or connected with the accomplishment of the purposes, including, without limitation, engineering, inspection, legal, fiscal agent, financial consultant, bond and other reserve funds, working capital, bond interest estimated to accrue during the construction period, if any, and for a period not exceeding three years thereafter, and the expenses of all proceedings for the authorization, issuance, and sale of the bonds.

(3) The estimated cost of accomplishing the purposes and the amount of the principal of the indebtedness to be incurred.

(4) That a general description of the benefit district and of each zone, if any, therein and maps showing the exterior boundaries thereof are on file with the secretary of the district and available for inspection by any interested person.

(5) That special benefit assessments for the payment of the bonds, and the interest thereon, have been or shall be levied in the benefit

district or zones therein by the parcel area of unimproved real property and by the parcel area and the floor area of real property and improvements thereto of improved real property, as deemed appropriate by a resolution adopted by a two-thirds vote of the members of the board, at rates which are sufficient in the aggregate, together with revenues already collected and available therefor, to pay the principal of, and interest on, all bonds of the district issued for the benefit district.

(6) The extent to which, if at all, all or a portion of the revenues of the district are to be used to pay the principal of, interest on, and sinking fund payments for, the bonds, including the establishment and maintenance of any reserve fund therefor.

(7) The time and place set for hearing on the proposed issuance of the bonds.

(8) That at the same time as the Board of Supervisors of the County of Los Angeles is required by law to fix the general tax levy and in the manner provided for the general tax levy, the district board shall levy and collect special benefit assessments in the benefit district or zones therein by the parcel area of unimproved real property and by the parcel area and the floor area of real property and improvements thereto of improved real property, as deemed appropriate by the district board, at rates which are sufficient in the aggregate, together with revenues already collected and available therefor, to pay the interest on the bonds as it becomes due, and the part of the principal of the bonds, including sinking fund installments required by any of the district's agreements with bondholdlers, as will become due before proceeds of a special benefit assessment, levied at the time of the next general tax levy, will be available for those purposes; and to provide or to restore the bond reserve fund to the amount required by any of the district's agreements with bondholders.

(9) The maximum term the proposed bonds shall run before maturity, which shall not exceed 40 years from the date of the bonds or any series thereof.

(10) The maximum rate or rates of interest to be paid, which shall not exceed 12 percent per annum.

(11) That the pledge of special benefit assessment revenues to the bonds authorized by this section has priority over the use of any of those revenues for pay-as-you-go financing, except to the extent that this priority is expressly restricted by any of the district's agreements with bondholders.

(b) The notice stating the time and place of the hearing on the proposed issuance of bonds shall be published prior to the time fixed for the hearing pursuant to Section 6066 of the Government Code.

(c) Notice shall also be mailed at least 30 days prior to the hearing to all owners of real property within the boundaries of the benefit district whose names and addresses appear on the last equalized assessment roll or are otherwise known to the Board of Supervisors of the County of Los Angeles or to the district.

33004. At the time and place fixed for the hearing on the issuance of bonds payable from special benefit assessments levied under this chapter, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. Interested persons may appear at the hearing and present matters material to the questions set forth in the resolution. At the conclusion of the hearing on the proposed issuance of bonds, the board shall, by resolution adopted by a two-thirds vote of the members, determine whether to incur the bonded indebtedness.

The resolution shall state the amount of the proposed debt, the purposes for which it is to be incurred, and the estimated cost of accomplishing the purposes. The determinations made in the resolution are final and conclusive.

33005. Special benefit assessments for the payment of the principal of, and interest on, bonds issued for a benefit district shall be levied in the benefit district at rates which are sufficient in the aggregate, together with revenues already collected and available therefor, to pay the principal of, and interest on, all bonds of the district issued for the benefit district. Other revenues of the district shall be used for the payment of the principal of, and interest on, the bonds only to the extent set forth in any agreement of the district for the benefit of bondholders.

Special benefit assessments in the benefit district and zones, if any, therein shall be calculated to reflect, as accurately as possible, the benefit received by the property assessed in the benefit district or zones, if any, therein as a result of the project to be financed thereby.

33006. The bonds issued pursuant to this chapter shall bear interest at a rate or rates not exceeding 12 percent per annum, payable semiannually, except that the first interest payable on the bonds or any series thereof may be for any period not to exceed one year as determined by the board.

In the resolution or resolutions providing for the issuance of bonds, the board may also provide for call and redemption of the bonds prior to maturity at times and prices and upon any other terms that it may specify. However, no bond is subject to call or redemption prior to maturity unless the bond contains a recital to that effect. The denomination or denominations of bonds shall be stated in the resolution providing for their issuance, but shall not be less than five thousand dollars ($5,000). The principal of, and interest on, the bonds shall be payable in lawful money of the United States at the office of the treasurer of the district or at any other place or places that may be designated by the board, or at either place or places at the option of the holders of the bonds. The bonds shall be dated, numbered consecutively, signed by the president and treasurer, and countersigned by the secretary and shall have the official seal of the district attached. The interest coupons of the bonds shall be signed by the treasurer. The seal and all signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one signature or countersignature shall be manually affixed.

If an officer, whose signature or countersignature appears on the bonds or coupons, leaves office for any reason prior to the delivery of the bonds, the officer's signature is as effective as if the officer had remained in office.

33007. The bonds issued pursuant to this chapter may be sold as the board determines by resolution. The board may sell the bonds at a price below par.

If the board determines by resolution that the bonds shall be sold by competitive bid, the board, before selling the bonds, or any part thereof, shall give notice inviting sealed bids in the manner that it prescribes. If satisfactory bids are received, the bonds offered shall be awarded to the highest responsible bidder. If no bids are received, or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale or by negotiation, or by other lawful means.

If the board determines by resolution that the bonds shall not be sold by competitive bid, the board may sell the bonds at public or private sale, by negotiation, or by other lawful means.

33008. Delivery of any bonds issued under this chapter may be made at any place either inside or outside the state, and the purchase price may be received in cash or bank credits.

33009. All accrued interest and premiums received on the sale of bonds issued by the district pursuant to this chapter shall be placed in the fund to be used for the payment of principal of, and interest on, those bonds. The remainder of the proceeds received on the sale of the bonds shall be placed in the treasury to secure those bonds or for the purposes for which the debt was incurred.

When the purposes for which the debt was incurred have been accomplished, any money remaining shall be either (a) transferred to the fund to be used for the payment of principal of, and interest on, the bonds or (b) placed in a fund to be used for the purchase of those outstanding bonds of the district, from time to time, in the open market at the prices and in the manner, either at public or private sale or otherwise, that the board determines. Bonds so purchased shall be canceled immediately.

33010. The board may provide for the issuance, sale, or exchange of refunding bonds to redeem or retire any bonds issued by the district under this chapter upon the terms, at the times, and in the manner that it determines. Refunding bonds may be issued in a principal amount sufficient to pay all, or any part, of the principal of the outstanding bonds issued under this chapter, the interest thereon, and the premiums, if any, due upon call and redemption thereof prior to maturity and all expenses of the refunding.

The provisions of this chapter, for the issuance and sale of bonds apply to the issuance and sale of refunding bonds, except that, when refunding bonds are to be exchanged for outstanding bonds, the method of exchange shall be as determined by the board.

33011. Any bonds issued under this chapter are legal investment

for all trust funds; for the funds of insurance companies, commercial and savings banks, and trust companies; for state school funds; and, whenever any money or funds may, by any law now or hereafter enacted, be invested in bonds of cities, counties, school districts, or other districts within this state, the money or funds may be invested in the bonds issued under this chapter.

Whenever bonds of cities, counties, school districts, or other districts within this state may, by any law now or hereafter enacted, be used as security for the performance of any act or the deposit of any public money, bonds issued under this chapter may be so used.

The provisions of this chapter are in addition to all other laws relating to legal investments and are controlling as the latest expression of the Legislature with respect thereto.

33012. The board may change the purposes for which any proposed debt is to be incurred, the estimated cost, the amount of bonded debt to be incurred, or the boundaries of the benefit district or zones, if any, therein or one or all of those matters, except that the board shall not change the boundaries to include any territory which will not, in its judgment, be benefited by the district action.

For all purposes of this chapter, it is conclusively presumed that any right-of-way of a common carrier will not be benefited by the district action.

33013. (a) The board shall not change the purposes, the estimated cost, the boundaries of the benefit district or zones, if any, therein, or the amount of bonded debt to be incurred until after it gives notice of its intention to do so, stating each proposed change in the purpose and stating, if applicable, that the exterior boundaries proposed to be changed are set forth on a map on file with the secretary of the district. The notice shall also specify the time and place set for hearing.

(b) The notice shall be published prior to the time set for the hearing pursuant to Section 6066 of the Government Code.

(c) The notice shall also be mailed at least 30 days prior to the hearing to all owners of real property affected by the proposed change whose names and addresses appear on the last equalized assessment roll or are otherwise known to the Board of Supervisors of the County of Los Angeles or to the district.

33014. At the time and place fixed for a hearing on changes, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing, interested persons may appear and present matters material to the changes set forth in the notice.

At the conclusion of the hearing, the board shall, by resolution, determine whether to make any or all of the changes set forth in the notice. The determinations made in the resolution are conclusive and final.

33015. All decisions and determinations of the board, upon notice and hearing, are final and conclusive upon all persons entitled to appeal to the board as to all errors, informalities, and irregularities

which the board might have avoided or remedied during the progress of the proceedings or which it can, at that time, remedy.

Any objection, appeal, or protest not made at the time of any hearing is deemed to be waived voluntarily by any person who might have made the appeal, protest, or objection, and the person is deemed to have consented to the action taken following the hearing and any other matter on which objection, protest, or appeal could have been made.

33016. Any action or proceeding, other than a petition for election pursuant to Section 33002.2, which contests, questions, or denies the validity or legality of the formation of any benefit district or zone, the issuance of any bonds therefor pursuant to this chapter, or any proceedings relating thereto, shall be commenced within six months from the date of the formation; otherwise, the formation of the benefit district or zone, the issuance of the bonds, and all proceedings relating thereto shall be held to be in every respect valid, legal, and incontestable.

33017. When the board has imposed a special benefit assessment, the secretary shall so certify to the assessor of the county in which the territory of any benefit district is located and deliver to the assessor copies of all maps and diagrams of the benefit district and zones, if any, therein, indicating the amount of the special benefit assessment to be levied within the benefit district and zones, if any, therein.

Special benefit assessments authorized by this chapter shall be levied and collected by the county at the same time and in the same manner as taxes are levied and collected. The county may deduct its reasonable expenses of collection and shall transmit the balance of the assessments to the district.

33019. In the event of conflict with any other law, the provisions of this chapter shall prevail with respect to benefit districts within the district.

33020. Notwithstanding any other provision of this chapter, the district shall not pledge any portion of its general fund revenues to pay any part of any bonded indebtedness incurred under this chapter unless required by provisions of the California Constitution.

SEC. 5. Section 5101.5 of the Streets and Highways Code is amended to read:

5101.5. Whenever in the opinion of the legislative body the public interest or convenience may require, it may install, acquire, construct, develop, jointly develop, maintain, dispose of, or operate, in or along its streets or any public way or any easement, either singly or in any combination of the items mentioned in Section 5101 and this section, any of the following:

(a) Works, systems, or facilities for the transportation of people, including rolling stock and other equipment appurtenant thereto.

(b) All other work auxiliary or incidental to any of the above, which may be required to carry out the same, including terminal and intermediate stations, structures, or platforms, or other facilities

which may be necessary for, incidental to, or convenient for, the loading of people into and unloading of people from the transportation facilities.

(c) All other work auxiliary or incidental to any of the above which may be necessary for, incidental to, or convenient for carrying out, the same.

(d) Any and all property, easements, rights-of-way, and other rights or interests which may be necessary for, incidental to, or convenient for carrying out, the purposes of the project.

SEC. 6. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act.

CHAPTER 1323

An act to add Section 17061.3 and 23609 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983.]

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

SECTION 1. Section 17061.3 is added to the Revenue and Taxation Code, to read:

17061.3. (a) Any taxpayer who purchases a new passenger automobile, a new truck with a gross weight of less than 2,000 pounds, or a new motorcycle during the period in which the tax imposed by Part 1 (commencing with Section 6000) is imposed pursuant to subdivision (a) of Section 6051.5, subdivision (a) of Section 6051.7, subdivision (a) of Section 6201.5, or subdivision (a) of Section 6201.7, and which is manufactured or assembled and sold in this state, shall be allowed a credit against the amount of net tax, as defined in Section 17039, in an amount equal to 1 percent of the actual sales price of the eligible motor vehicle.

(b) Any taxpayer claiming a credit pursuant to subdivision (a) shall not be allowed any other deduction or credit under this part for the amount claimed as a credit.

(c) The credit provided in this section shall be claimed on the tax return of the taxpayer for the taxable year in which the motor vehicle was purchased.

(d) The purpose of this credit is to afford the taxpayer a recovery of a portion of the property taxes, business license fees, and other taxes imposed in conjunction with the manufacture and assembly of

the vehicle.

SEC. 1.5. Section 17061.3 is added to the Revenue and Taxation Code, to read:

17061.3. (a) Any taxpayer who purchases a new motor vehicle during the period in which the tax imposed by Part 1 (commencing with Section 6000) is imposed pursuant to subdivision (a) of Section 6051.5, subdivision (a) of Section 6051.7, subdivision (a) of Section 6201.5, or subdivision (a) of Section 6201.7, and which is manufactured or assembled and sold in this state, shall be allowed a credit against the amount of net tax, as defined in Section 17039, in an amount equal to 1 percent of the actual sales price of the motor vehicle.

(b) Any taxpayer claiming a credit pursuant to subdivision (a) shall not be allowed any other deduction or credit under this part for the amount claimed as a credit.

(c) The credit provided in this section shall be claimed on the tax return of the taxpayer for the taxable year in which the motor vehicle was purchased.

(d) The purpose of this credit is to afford the taxpayer a recovery of a portion of the property taxes, business license fees, and other taxes imposed in conjunction with the manufacture and assembly of the vehicle.

(e) For purposes of this section:

(1) "Manufactured or assembled in this state" means that a major portion of the components of a new passenger automobile, a new truck with a gross weight of less than 2,000 pounds, or a new motorcycle are either fabricated and produced or installed in this state. In determining those items which are to be deemed components, the engine, transmission, differential, and air-conditioning unit and ducts shall constitute separate components.

(2) "Actual sales price" means the gross receipts derived by the retailer or dealer from the sale of an eligible motor vehicle, exclusive of any sales taxes, vehicle license fees, and vehicle registration fees.

SEC. 2. Section 23609 is added to the Revenue and Taxation Code, to read:

23609. (a) Any taxpayer who purchases a new passenger automobile, a new truck with a gross weight of less than 2,000 pounds, or a new motorcycle during the period in which the tax imposed by Part 1 (commencing with Section 6000) is imposed pursuant to subdivision (a) of Section 6051.5, subdivision (a) of Section 6051.7, subdivision (a) of Section 6201.5, or subdivision (a) of Section 6201.7, and which is manufactured or assembled and sold in this state, shall be allowed a credit against the taxes imposed by this part (except the minimum franchise tax and the tax on preference income) in an amount equal to 1 percent of the actual sales price of the eligible motor vehicle.

(b) Any taxpayer claiming a credit pursuant to subdivision (a) shall not be allowed a deduction under Section 24345 for the amount claimed as a credit.

(c) The credit provided in this section shall be claimed on the tax return of the taxpayer for the income year in which the motor vehicle was purchased.

(d) The purpose of this credit is to afford the taxpayer a recovery of a portion of the property taxes, business license fees, and other taxes imposed in conjunction with the manufacture and assembly of the vehicle.

(e) For purposes of this section:

(1) "Manufactured or assembled in this state" means that a major portion of the components of a new passenger automobile, a new truck with a gross weight of less than 2,000 pounds, or a new motorcycle are either fabricated and produced or installed in this state. In determining those items which are to be deemed components, the engine, transmission, differential, and air-conditioning unit and ducts shall constitute separate components.

(2) "Actual sales price" means the gross receipts derived by the retailer or dealer from the sale of an eligible motor vehicle, exclusive of any sales taxes, vehicle license fees, and vehicle registration fees.

SEC. 3. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

SEC. 4. It is the intent of the Legislature, if this bill and Assembly Bill 36 are both chaptered and become effective January 1, 1984, and this bill is chaptered after Assembly Bill 36, that Section 17061.3 proposed by this bill be given effect and incorporated in the form set forth in Section 1.5 of this act. Therefore, Section 1.5 of this act shall become operative only if this bill and Assembly Bill 36 are both chaptered and become effective January 1, 1984, and this bill is chaptered after Assembly Bill 36, in which case Section 1.5 of this act shall become operative.

CHAPTER 1324

An act to amend Sections 33320.1 and 33401 of the Health and Safety Code, and to amend Section 97.6 of the Revenue and Taxation Code, relating to fiscal affairs, and declaring the urgency thereof, to take effect immediately.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983.]

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

SECTION 1. Section 33320.1 of the Health and Safety Code is amended to read:

33320.1. "Project area" means, except as provided in Section 33320.2, a predominantly urbanized area of a community which is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this part, and which is selected by the

planning commission pursuant to Section 33322.

As used in this section, "predominantly urbanized" means that not less than 80 percent of the privately owned property in the project area has been or is developed for urban uses, is characterized by the conditions described in subdivisions (a) or (b) of Section 33032, or is an integral part of an area developed for urban uses. For the purposes of this section, a parcel of property as shown on the official maps of the county assessor is developed if that parcel is developed in a manner which is either consistent with zoning or is otherwise permitted under law. For the purposes of this section, if property is acquired by the community less than 180 days prior to the date of adoption of the survey area resolution and is not dedicated or devoted to a public use on the date the survey area resolution is adopted, that property shall be deemed privately owned property.

The requirement that a project be predominantly urbanized shall apply only to a project area for which a final redevelopment plan is adopted on or after January 1, 1984, or to an area which is added to a project area by an amendment to a redevelopment plan, which amendment is adopted on or after January 1, 1984.

SEC. 2. Section 33401 of the Health and Safety Code is amended to read:

33401. The agency may in any year during which it owns property in a redevelopment project pay directly to any city, county, city and county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes.

A proportionate share of any amount of money paid by an agency to any city and county pursuant to this section shall be disbursed by the city and county to any school district with territory located within a redevelopment project area in the city and county. "Proportionate share," as used in this section, means the ratio of the school district tax rate, which is included in the total tax rate of the city and county, to the total tax rate of the city and county.

The agency may also pay to any taxing agency with territory located within a project area other than the community which has adopted the project, any amounts of money which the agency has found are necessary and appropriate to alleviate any financial burden or detriment caused to any taxing agency by a redevelopment project. The payments to a taxing agency in any single year shall not exceed the amount of property tax revenues which would have been received by that taxing agency if all the property tax revenues from the project area had been allocated to all the affected taxing agencies without regard to the division of taxes required by Section 33670, except that a greater payment may be established by agreement between the agency and one or more taxing agencies, except a school district, if such other taxing agencies agree to defer payments for one or more years in order to accomplish the purposes of the project at an earlier time than would otherwise

be the case. The amount of any such greater payments shall not exceed the amount of payment deferred. The payments shall be approved by a resolution, adopted by the redevelopment agency, which shall contain findings, supported by substantial evidence, that the redevelopment project will cause or has caused a financial burden or detriment to the taxing agency and that the payments are necessary to alleviate the financial burden or detriment.

The requirement that the agency may make payments to a taxing entity only to alleviate a financial burden or detriment as defined in Section 33012 and only after approval by a resolution which contains specified findings shall apply only to payments made by an agency pursuant to an agreement between an agency and a taxing entity which is executed by the agency on or after January 1, 1984.

SEC. 3. Section 97.6 of the Revenue and Taxation Code, as added by Chapter 491 of the Statutes of 1983, is amended to read:

97.6. (a) For the 1983–84 and 1984–85 fiscal years no local agency shall impose a property tax rate pursuant to subdivision (a) of Section 93 for other than bonded indebtedness which is in excess of the rate, if any, imposed in the 1982–83 fiscal year or imposed for the 1983–84 fiscal year pursuant to a budget resolution adopted on or before July 1, 1983, which contemplated the levy of an additional property tax rate for pension system costs, whichever rate is higher, for other than bonded indebtedness. This section shall be deemed to be a maximum tax rate pursuant to Section 20 of Article XIII of the California Constitution.

(b) If a local agency imposes a rate in excess of the maximum rate authorized by subdivision (a), the amount of property tax allocated to agency pursuant to this chapter shall be reduced by one dollar ($1) for each one dollar ($1) of property tax revenue attributable to the excess rate.

(c) Any property tax revenue which has been subtracted from a local agency's allocation pursuant to subdivision (b) shall be allocated to elementary, high school, and unified school districts within the agency's jurisdiction in proportion to the average daily attendance of each such district.

(d) As used in this section, "bonded indebtedness" means any bond obligation of a local government which was approved by the voters of such jurisdiction prior to July 1, 1978.

(e) This section shall not apply to taxes levied to meet obligations to make payments to either the State of California under contracts for the sale, delivery, or use of water entered into pursuant to the California Water Resources Development Bond Act, which is provided for in Chapter 8 (commencing with Section 12930) of Part 6 of Division 6 of the Water Code, or the United States under voter-approved contracts for the sale, delivery, or use of water or for repayment of voter-approved obligations for the construction, maintenance, or operation of water conservation, treatment or distribution facilities; however, any metropolitan water district, formed pursuant to the Metropolitan Water District Act (Ch. 209,

Stats. 1969), may increase its property tax rate for fiscal year 1983–84 above the level imposed in fiscal year 1982–83 to make payments to the State of California under contracts entered into pursuant to the California Water Resources Development Bond Act, only if the increased levy was enacted by the board of directors on or before August 31, 1983, and furthermore any metropolitan water district, formed pursuant to the Metropolitan Water District Act (Ch. 209, Stats. 1969), shall not impose a property tax rate for fiscal years 1984–85 and 1985–86 which is in excess of the rate imposed in fiscal year 1982–83, unless at least 80 percent of the board of directors finds that there exists a fiscal emergency which requires a property tax rate increase and approves the rate increase.

(f) All metropolitan water districts formed pursuant to the Metropolitan Water District Act (Ch. 209, Stats. 1969), shall submit a report to the Legislature on or before March 31, 1984, detailing its program to reduce the reliance of the district on the property taxes and to assure that the property tax burden is equitably distributed.

(g) This section shall remain in effect only until January 1, 1989, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1989, deletes or extends that date. If that date is not deleted or extended, then, on and after January 1, 1989, pursuant to Section 9611 of the Government Code, Section 97.6 of the Revenue and Taxation Code, as added by Section 3 of Chapter 491 of the Statutes of 1983, shall have the same force and effect as if this temporary provision had not been enacted.

SEC. 4. Notwithstanding Section 6 of Article XIII B of the California Constitution and Section 2231 or 2234 of the Revenue and Taxation Code, no appropriation is made by this act for the purpose of making reimbursement pursuant to these sections. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Chapter 3 (commencing with Section 2201) of Part 4 of Division 1 of that code.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to preserve the fiscal integrity of water districts that are in danger of defaulting on their contracts pursuant to the California Water Resources Development Bond Act and to protect the state's bonding ability and to make changes in the Community Redevelopment Law as soon as possible to facilitate local agency planning, it is necessary that this act take effect immediately.

CHAPTER 1325

An act to add and repeal Section 12807.6 of the Government Code, and to amend and supplement the Budget Act of 1983 by adding Item 3790-102-742 thereto, relating to parks and recreation, and making an appropriation therefor.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983.]

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

SECTION 1. Item 3790-102-742 is added to the Budget Act of 1983, to read:

NEJEDLY-HART STATE, URBAN, AND COASTAL PARK BOND ACT PROGRAM

3790-102-742—For local assistance, Department of Parks and Recreation, payable from the State, Urban, and Coastal Park Fund 96,000

Schedule:

Projects in Sacramento County

(a) City of Folsom, Folsom Recreation Center project 96,000

Provisions:

1. Funds appropriated for the grant in category (a) of this item are available for expenditure during the 1983–84 fiscal year.

SEC. 2. Section 12807.6 is added to the Government Code, to read:

12807.6. In reviewing projects pursuant to Sections 5096.87 and 5096.128 of the Public Resources Code, the Secretary of the Resources Agency shall consider the Folsom Recreation Center project of the City of Folsom in Sacramento County.

It is the intent of the Legislature that, if the Secretary of the Resources Agency deems the Folsom Recreation Center project to be among projects of the highest priority and there are insufficient moneys available for appropriation in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, or the State, Urban, and Coastal Park Fund to fund a grant of eight hundred ten thousand dollars ($810,000) to the City of Folsom for that project, in addition to the ninety-six thousand dollars ($96,000) appropriated by Item 3790-102-742 of the Budget Act of 1983, the deficiency is to be funded by appropriation of moneys from any other available source.

This section shall become inoperative on June 30, 1987, and, as of January 1, 1988, is repealed, unless a later enacted statute, which

becomes effective on or before January 1, 1988, deletes or extends the dates on which it becomes inoperative and is repealed.

CHAPTER 1326

An act to add Section 6025.5 to the Water Code, relating to the regulation of safety of dams.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983]

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

SECTION 1. Section 6025.5 is added to the Water Code, to read:

6025.5. (a) Notwithstanding any other provision, subject to subdivision (b), the requirements for state regulation and supervision of safety of dams, as contained in this division, shall not be applicable to waste water treatment and storage ponds constructed as a part of a regional waste water control facility in Sonoma County.

(b) This section shall apply to those ponds specified in subdivision (a) only after the governing body of the city, county, district, or other agency which operates the regional waste water control facility adopts a resolution which (1) finds that the ponds have been constructed and operated to standards adequate to protect life and property, and (2) provides that the city, county, district, or other agency shall supervise and regulate the design, construction, operation enlargement, replacement, and removal of the ponds after the effective date of the resolution.

(c) This section shall apply only to ponds specified in subdivision (a) which have a maximum height of 15 feet or less and a maximum storage capacity of 1,500 acre-feet or less.

(d) This section, applicable only to Sonoma County, is necessary to meet unique circumstances within that county affecting wastewater treatment and storage ponds constructed as a part of a regional wastewater control facility.

CHAPTER 1327

An act to amend Sections 11700 and 11701 of, to add Sections 8839 and 11702 to, to add Article 4 (commencing with Section 11725), Article 5 (commencing with Section 11730), and Article 6 (commencing with Section 11740) to, to repeal and add Article 2 (commencing with Section 11710) and Article 3 (commencing with Section 11720) of, and to amend and renumber the heading of Article 4 (commencing with Section 11751), the heading of Article 5

(commencing with Section 11761), the heading of Article 6 (commencing with Section 11771), and the heading of Article 7 (commencing with Section 11791) of, Chapter 7 of Part 1 of Division 3 of Title 2 of, the Government Code, relating to state government.

[Became law without Governor's signature. Filed with Secretary of State October 1, 1983.]

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

SECTION 1. Section 8839 is added to the Government Code, to read:

8839. (a) The California Public Broadcasting Task Force is created to study and recommend policy, programs, and legislation for the continued state support for public broadcasting.

(b) The task force shall assess, but is not limited to assessing, proposals to do the following:

(1) Appropriate in fiscal year 1984–85 state funds for future support of public broadcasting based upon a projection of the state's ability to assist local stations.

(2) Design a mechanism by which the Fellowship Program, which trains minorities for management careers in public broadcasting, can continue.

(3) Provide preferential points to public broadcasters bidding on state contracts for the production of public service announcements and in-service training programs.

(4) Create a Public Broadcasting Fund with moneys raised by permitting consumers of televisions and radios to earmark the sales tax normally levied or by allowing personal income taxpayers to increase their liability by one dollar ($1) earmarked for the fund.

(5) Match, on a dollar-for-dollar basis, private sector contributions into a statewide public broadcasting endowment fund.

(6) Develop a system whereby local stations, in conjunction with their local governments, can issue tax-exempt bonds for capital equipment and facilities and for development funds to expand their local revenue base.

(7) Establish a Public Broadcasting Investment Fund which would be a revolving fund used to capitalize projects by individual stations to expand their revenue base.

(8) Match private sector contributions to Public Broadcasting Month, a public awareness program aimed at increasing the individual membership at each station.

(9) Establish a state public broadcasting production facility to produce programming for public radio and television.

(c) The task force shall consist of 19 members, appointed as follows:

(1) Three members appointed by the California Public Broadcasting Commission.

(2) Three members appointed by the President pro Tempore of

the Senate, one of whom shall be selected from nominations submitted by both the Association of California Public Radio Stations and the Association of California Public Television Stations.

(3) Three members appointed by the Speaker of the Assembly, one of whom shall be selected from nominations submitted by both the Association of California Public Radio Stations and the Association of California Public Television Stations.

(4) Ten members appointed by the Governor, five of whom shall be selected from nominations submitted by both the Association of California Public Radio Stations and the Association of California Public Television Stations.

(d) The task force shall submit a report to the Legislature by April 1, 1984. The task force shall be staffed by existing personnel within the Governor's office.

SEC. 1.5. Section 11700 of the Government Code is amended to read:

11700. The Legislature finds that information technology is an indispensable tool of modern government for the rapid and efficient handling of data, records, communication, and transactions, and for assisting decisionmakers in carrying out their tasks and responsibilities at all levels of government.

The Legislature finds that advances in information technology, such as automated office systems, personal computers, electronic mail, and others, have the potential to increase the productivity, efficiency, and responsiveness of the state's operations. The Legislature finds that a need exists to consolidate and integrate the state's policy and planning functions with regard to information technology to ensure coordination of the state's information technology needs. Therefore, the Legislature intends that the bodies in the executive branch currently responsible for planning and overseeing the acquisition of information technology be replaced by an Office of Information Technology, whose purpose would be to identify new applications for information technology, to improve productivity and service to clients and to assist agencies in designing and implementing the use of information technology.

SEC. 2. Section 11701 of the Government Code is amended to read:

11701. It is the intent of the Legislature:

(a) That there be specific objectives and definitive policies to guide the development of information technology systems, procedures, and techniques within the governmental sector;

(b) That policies and plans developed within state government recognize fully the interrelationships and impact of state activities on local governments and on agencies of the federal government, and that such policies and plans represent the best interests of all of California's citizens;

(c) That there be plans for enhancing the use of information technology within state government, encompassing both short-term and long-range needs, and that these plans be continually updated;

(d) That the plans provide for optimum utilization of information technology equipment; maximum practical integration of information technology systems; the establishment of service centers, as required, to provide data processing services to units of state government as needed; adherence to standards ensuring appropriate compatibility of systems and interchange of data and information; and proper management controls to ensure the most efficient, effective, and economical use of the state's resources for information technology;

(e) That appropriate criteria be developed for cost sharing and evaluation of effectiveness for the utilization of information technology systems; and

(f) That such goals as one-time collection of data, minimum duplication of records, and maximum availability of information at lowest overall cost will not jeopardize or compromise the confidentiality of information as provided by statute or the protection of the right of individual privacy as established by law.

SEC. 2.5. Section 11702 is added to the Government Code, to read:

11702. (a) "Information technology" means all computerized and auxiliary automated information handling, including systems design and analysis, conversion of data, computer programming, information storage and retrieval, voice, video, and data communications, requisite system controls, simulation, and all related interactions between people and machines.

(b) "Office" means the Office of Information Technology.

(c) "Director" means the director of the office.

SEC. 3. Article 2 (commencing with Section 11710) of Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code is repealed.

SEC. 4. Article 2 (commencing with Section 11710) is added to Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code, to read:

Article 2. Office of Information Technology

11710. There is in the Department of Finance an Office of Information Technology, whose director shall be appointed by the Governor, who shall report directly to the Director of Finance, and who shall serve at the pleasure of the Governor.

11711. The director shall develop plans and policies to support and promote the use of innovative information technologies within state government as a means of saving money, increasing worker productivity, improving state services to the public, and demonstrating effective management tools. The director shall recommend to the Governor, Legislature, Department of General Services, and Department of Finance changes needed in state policies to accomplish the purposes of this section.

11712. The director shall develop plans and policy regarding all of the following:

(a) The state data centers, including the optimum size and degree of centralization of the data centers.

(b) Information management personnel, including the training and qualifications of such personnel.

(c) Telecommunications, including the coordination of telecommunications procurement, pricing of service, and planning for divestiture of Pacific Telephone and Telegraph Company from American Telephone and Telegraph Company.

(d) Office automation, including the use of personal computing and electronic mail.

(e) Teleconferencing as an alternative to state travel.

(f) Emergency communications.

SEC. 5. Article 3 (commencing with Section 11720) of Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code is repealed.

SEC. 6. Article 3 (commencing with Section 11720) is added to Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code, to read:

Article 3. User Committee

11720. The director shall form a user committee or committees which shall consist of representatives of departments engaged in the use of information technology. All departments shall appoint a representative to the user committee or committees who shall be a person knowledgeable about the application of information technology in that department. The director shall publish a plan for forming the committee, including a plan for yearly rotational assignments to the committee, such that each department is represented at least once every three years and no department is represented more than three years in a row.

11721. The representatives appointed to the user committee or committees shall be nontechnical managers who are accountable for program results. The director may provide for the appointment of the data-processing personnel who are advisory ex officio members, but such members shall have no voice in matters considered before the committee.

11722. (a) The purpose of the user committee or committees shall be to provide guidance and input to the director and other state officials, to identify barriers preventing the optimum use of information technology and management techniques, and to recommend changes in policy, both legislative and administrative, necessary to remove those barriers.

(b) The director, after consultation with the user committee, shall submit to the Legislature by January 1, 1985, a report concerning provisions of public access to non-confidential indexes and data banks through the medium of telecommunications and remote computer terminals.

(c) The user committee shall make recommendations to the director on what data should be accessible, and what provisions

should be made for security of confidential state data. The user committee shall make recommendations on how to recover the costs of making provision for public access. The user committee shall make recommendations or studying the potential cost savings to state government from public access provisions.

11723. The user committee or committees shall be chaired by the director and shall meet at his or her discretion, but in any event not less than four times per year.

SEC. 7. Article 4 (commencing with Section 11725) is added to Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code, to read:

Article 4. Reporting Requirements

11725. The office shall submit to the Legislature by November 15, 1984 an implementation plan which does all of the following:

(a) Addresses findings and recommendations contained in the Legislative Analyst's report entitled "The Utilization and Management of Information Processing Technology in California State Government".

(b) Provides for an effective planning, budgeting, and management control system for coordinated development and utilization of information technology in state government.

(c) Summarizes the specific plans and policies adopted by the office for each of the areas of functional responsibility outlined in Section 11712.

SEC. 8. Article 5 (commencing with Section 11730) is added to Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code, to read:

Article 5. Management of Information Technology

11730. It is the intent of the Legislature that the director shall be the state's advocate in the exploitation of information technology to increase the effectiveness and efficiency of government electronic data-processing services in program and support areas. The office shall adopt procedures to carry out its advocacy role and shall publish and maintain them in the State Administrative Manual.

11731. It is the intent of the Legislature that the director shall adopt policies and guidance to carry out electronic data-processing budgeting and control of expenditure responsibilities and shall publish and maintain them in the State Administrative Manual. The office shall approve proposed expenditures for electronic data processing only if these policies and procedures have been met and followed.

11732. There is in the State Treasury the Equipment Management Revolving Fund, hereafter referred to as the "EMR Fund."

11733. It is the intent of the Legislature that the director shall

actively promote maximum efficiency in the use of state funds for information technology and information systems. The director may allocate funds from the EMR Fund established by Section 11721, as a loan for the purchase of leased information technology equipment and necessary ancillary operating equipment when it has been clearly demonstrated, in the opinion of the director, that cost benefits to the state will be realized. These allocations shall be made only in those instances in which no other funds are reasonably available for those purposes, and not sooner than 30 days after notification in writing of the necessity therefore has been given to the chairperson of the committee of each house which considers appropriations, and the chairperson of the Joint Legislative Budget Committee, or sooner than such shorter time as the chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine. The EMR Fund shall be repaid by the state agency to which funds have been allocated, upon terms and conditions as may be prescribed by the office.

11734. The director shall do all of the following:

(a) Establish and maintain criteria for determining which data center is to provide which data-processing service to each state agency.

(b) Establish policies for the development, operation, maintenance and performance management of data-processing information systems, including, but not limited to, equipment, software, and data communications.

(c) Establish and maintain the criteria to be followed by data processing in each state agency in providing confidentiality and security of data, and the security of data-processing facilities and equipment.

(d) Establish policies and guidelines for the exchange of data between data centers by intercoupling or telecommunications to ensure that exchanges do not jeopardize data security and confidentiality.

(e) Establish procedures to allow the Legislative Analyst to make an analysis of programs and budgets and the Auditor General to conduct audits utilizing data in the state data processing information systems or as products of state data processing information systems. Information shall not be provided to the Legislative Analyst or the Auditor General if specifically prohibited by federal law.

These policies and criteria shall be published and maintained in the State Administrative Manual.

SEC. 9. Article 6 (commencing with Section 11740) is added to Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code, to read:

Article 6. Resources

11740. It is the intent of the Legislature:

(a) That on the effective date of this article, all resources

budgeted for the Department of Finance for support of the State Office of Information Technology shall be transferred to the office.

(b) That resources currently budgeted to any state agencies and departments may be transferred to the office pursuant to agreement between the director and the relevant agency or department head.

(c) That the office prepare and submit to the Legislature, through the Department of Finance, a budget for consideration during the hearings on the 1984–85 fiscal year budget, to provide funding for the 1984–85 fiscal year sufficient to enable the office to adequately perform its responsibilities in accordance with this chapter.

(d) That the temporary or permanent transfer of any personnel not jeopardize any existing privileges, rights, status, and benefits of those personnel.

SEC. 10. The heading of Article 4 (commencing with Section 11751) of Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code is amended and renumbered to read:

Article 7. Data Centers

SEC. 11. The heading of Article 5 (commencing with Section 11761) of Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code is amended and renumbered to read:

Article 8. Agencies Using Data Processing Centers

SEC. 12. The heading of Article 6 (commencing with Section 11771) of Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code is amended and renumbered to read:

Article 9. Data Security and Confidentiality

SEC. 13. The heading of Article 7 (commencing with Section 11791) of Chapter 7 of Part 1 of Division 3 of Title 2 of the Government Code is amended and renumbered to read:

Article 10. Applicability

CONCURRENT AND JOINT RESOLUTIONS
AND CONSTITUTIONAL AMENDMENTS

1983–84

REGULAR SESSION

1983 RESOLUTION CHAPTERS

RESOLUTION CHAPTER 1

Assembly Concurrent Resolution No. 5—Relative to the selection of the Legislative Counsel of California.

[Filed with Secretary of State December 8, 1982]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That pursuant to Section 10201 of the Government Code, Bion M. Gregory is selected as Legislative Counsel of California.

RESOLUTION CHAPTER 2

Senate Concurrent Resolution No. 3—Relative to commending Bruce William Walker.

[Filed with Secretary of State January 11, 1983.]

WHEREAS, Bruce William Walker, Chief Counsel of the Franchise Tax Board, is retiring from state service after a distinguished career marked by significant achievement and, in recognition thereof, is deserving of the highest commendation and honors; and

WHEREAS, He commenced employment with the Franchise Tax Commissioner (predecessor of the Franchise Tax Board) as an Income Tax Examiner in 1937 and his retirement in 1982 as Chief Counsel ends 45 years of continuous state service; and

WHEREAS, Leadership and commitment to the integrity and sound administration of the California income tax laws have been reflected throughout Bruce W. Walker's career in the important work he has done as: Principal Income Tax Supervisor, Chief of the Income Tax Division, Chief of Operations Division, Assistant Executive Officer, Chief of Compliance Division, and Chief Counsel; and

WHEREAS, Bruce W. Walker's unique expertise and knowledge of the varied operations of the Franchise Tax Board, and his professional qualifications as a certified public accountant and member of the California State Bar, have enabled him to render invaluable services to the people of California; and

WHEREAS, Bruce W. Walker has been closely associated with the development of the unitary method of taxing corporations; and he has vigorously and skillfully defended that method in various state and federal forums where his expertise in this area is universally recognized; and

WHEREAS, During World War II, Bruce W. Walker served in the United States Navy as an Executive Officer of a Merchant Marine ship; thirty years later, as a veteran uniquely qualified for additional

service, he was appointed Director of the Department of Veterans Affairs for a six-month period in 1975 and to membership on the California Veterans Board from 1975 to 1981; and

WHEREAS, While Bruce W. Walker is primarily known for his professional pursuits and impressive record of service to the State of California, his private role as husband to Carol and father to Michael, Terence, Scott, and Christopher is equally exemplary; and

WHEREAS, During his outstanding career, he has worked extensively with the Legislature; Members and staff alike regard Bruce W. Walker with respect and affection; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members take great pleasure in honoring and commending Bruce William Walker, Chief Counsel of the Franchise Tax Board, upon his retirement from that position following 45 years of dedicated and responsible state service, applaud his exemplary record of professional and civic leadership, and extend best wishes for his continued success; and be it further

Resolved, That a suitably prepared copy of this resolution be transmitted to Bruce William Walker.

RESOLUTION CHAPTER 3

Senate Concurrent Resolution No. 1—Relative to the Joint Committee on Refugee Resettlement.

[Filed with Secretary of State January 18, 1983.]

WHEREAS, Since 1975, more than 280,000 refugees and entrants have resettled in the State of California; and

WHEREAS, There is the high probability that there will be future infusions of refugees and entrants into the state; and

WHEREAS, The influx of refugees and entrants will continue to create special needs and problems until all of those who have entered are resettled and integrated into our society; and

WHEREAS, Addressing these problems will require a joint effort by a number of state and local public and private entities; and

WHEREAS, The influx has and will continue to create a severe strain on the state's systems of service delivery in such areas as health, education, housing, social services, and employment; and

WHEREAS, The State of California has a strong commitment and obligation to ensure a healthy environment both for refugees and for residents already within its borders; and

WHEREAS, Although the newcomers are primarily a federal responsibility, it is in the best interests of the State of California to maintain a capacity for assisting those already here and for meeting the needs of any future influx; and

WHEREAS, The Congress of the United States is currently

debating an "amnesty" for undocumented aliens to grant them legal status; and

WHEREAS, There are approximately one-half million to one and one-half million undocumented aliens in the State of California who may come under the proposed provisions of "amnesty"; and

WHEREAS, The Legislature has the responsibility for budgetary and policy concerns that impact upon those refugees and entrants who reside in the state; and

WHEREAS, It is in the best interests of all citizens of the state for the Legislature to maintain strong leadership in impacting state and recommending federal policy; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Joint Committee on Refugee Resettlement and Immigration is hereby created, and authorized to do all of the following:

1. To conduct hearings in high-impact counties and develop recommendations to address concerns.

2. To develop policy recommendations on specific refugee-related issues for consideration by the Legislature as well as by the United States Congress.

3. To develop recommendations on better coordination of public and private resources for more effective assimilation of refugees and entrants into the communities of California.

4. To make recommendations on maximizing the federal moneys to which the state and local governments of California are entitled; and be it further

Resolved, That the committee shall consist of five Members of the Senate, appointed by the Committee on Rules thereof, and five Members of the Assembly, appointed by the Speaker thereof; and be it further

Resolved, That the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members; and be it further

Resolved, That the committee has the following additional powers and duties:

1. To establish an advisory committee to the joint committee which shall be composed of representatives of state and local government agencies and the refugee and immigrant community, as well as private organizations who are directly involved with the resettlement, health, welfare, education, employment and cultural adjustment of refugees.

2. To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the Joint Rules Committee may make money available from the Contingent Funds of the Assembly and Senate in the amount which it deems necessary for the expenses of the committee, its members, and the members of the advisory committee to the joint committee; and be it further

Resolved, That the committee shall terminate on November 30, 1984.

RESOLUTION CHAPTER 4

Assembly Concurrent Resolution No. 21—Relative to "Children's Dental Health Month".

[Filed with Secretary of State January 28, 1983.]

WHEREAS, The month of February 1983 has been designated as "Children's Dental Health Month"; and

WHEREAS, The future is, to a large measure, dependent on the good health of our children and youth, the citizens of tomorrow; and

WHEREAS, Good health, physical and mental, can be achieved through good health habits learned early; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the month of February 1983 shall be recognized as "Children's Dental Health Month" and that all citizens and all community organizations are hereby urged to join in the observance; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, the California Dental Association, the Northern California State Dental Hygienist Association, and the Southern California State Dental Hygienist Association.

RESOLUTION CHAPTER 5

Assembly Concurrent Resolution No. 30—Relative to Women's History Week.

[Filed with Secretary of State March 4, 1983.]

WHEREAS, The celebration of National Women's History Week each year provides an opportunity for schools and communities to focus attention on the lost heritage of women's contributions in the United States; and

WHEREAS, National Women's History Week coincides with International Women's Day, March 8, originally proclaimed at the turn of the century to recognize the valuable work of women in the labor movement and the international concerns of all women; and

WHEREAS, The observance of Women's History Week began in Sonoma County, California in 1978, and has since been proclaimed by the United States Senate and 24 Governors and state legislatures; and

WHEREAS, Throughout history, the significant roles of women have largely been discounted, stereotyped, or ignored; and

WHEREAS, In addition, the lives of women from diverse cultures are seldom mentioned in history books, and in educational curricula there is very little focus on the many contributions of women in the areas of literature, drama, art, poetry, and music; and

WHEREAS, Because of the significance and scope of women's role in the making of history and in the development of American culture and society, it is important that the State of California recognize the many contributions of women; and

WHEREAS, March 8, 1983, is the 75th Anniversary of International Women's Day and, as part of the commemoration of this day, the Commission on the Status of Women has developed Women's History Week, to be commemorated annually during the second week of each March, and is coordinating its observance through schools and community groups across the state; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That they take pleasure in joining with the Commission on the Status of Women in honoring the contributions of women, and urge all Californians to join in the celebration of International Women's Day on March 8, 1983; and be it further

Resolved, That the week of March 6–12, 1983, be designated as Women's History Week; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Chair of the Commission on the Status of Women for distribution to appropriate organizations.

RESOLUTION CHAPTER 6

Senate Joint Resolution No. 4—Relative to California artichokes.

[Filed with Secretary of State March 4, 1983]

WHEREAS, The Office of the United States Trade Representative is presently studying the feasibility of lowering the tariff on canned and marinated artichokes from Spain for a four-year period to compensate for restrictions imposed several years ago on imports of Spanish cookwear; and

WHEREAS, California grows 100 percent of this nation's artichokes; and

WHEREAS, Artichokes are the eighth ranking crop in Monterey County, which grows about 88 percent of this state's total artichoke crop; and

WHEREAS, The total gross value of artichokes to Monterey County is about $36,500,000; and

WHEREAS, For every one dollar returned to the grower, approximately three dollars are generated in the agricultural industry through the creation of related jobs and services, resulting in a $100 million total impact on the local area; and

WHEREAS, Exports of Spanish artichoke products to the United States more than doubled last year; and

WHEREAS, Because of devaluation of the Spanish peseta, Spanish artichokes sell in this country for 85 percent of what American producers must charge, and

WHEREAS, A growing inventory of artichoke products has appeared, causing this country's canned artichokes to be sold at lower-than-market price to clear the shelves for 1982 production; and

WHEREAS, Imports from Spain have caused serious losses in sales of United States processed artichokes, resulting in only one remaining domestic producer of canned and marinated artichoke products; and

WHEREAS, If that remaining producer went out of business, that could cause a domino effect resulting in the loss of 1,000 jobs and giving imported processed artichokes a monopoly in the United States market; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully memorializes the United States Trade Representative not to propose lowering the present tariff on canned and marinated artichokes which are imported from Spain; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to each Senator and Representative from California in the Congress of the United States, to the United States Trade Representative, and to the Chairman of the International Trade Commission.

RESOLUTION CHAPTER 7

Assembly Joint Resolution No. 7—Relating to the Sacramento-San Joaquin Delta.

[Filed with Secretary of State March 10, 1983.]

WHEREAS, The Sacramento-San Joaquin Delta is a very valuable resource to the entire State of California; and

WHEREAS, The delta provides a diversity of resources and has a multiplicity of uses; and

WHEREAS, The delta provides about 7,000,000 people with 12,000,000 visitor days each year, and estimates project an increase to 14,000,000 visitor days in 1990; and

WHEREAS, The delta supports 550,000 irrigated acres with an average annual gross value of $375,000,000; and

WHEREAS, The delta is an essential link in the transport of State Water Project and Central Valley Project water to beneficial users south of the delta, and increased salinity levels in the delta could create a reduction or cessation of water deliveries; now, therefore, be it

Resolved, by the Assembly and Senate of the State of California, jointly, That the Legislature hereby respectfully memorializes the President and Congress of the United States to grant immediate federal financial and manpower assistance to halt the damage to the levees in the Sacramento-San Joaquin Delta; and be it further

Resolved, That the Congress of the United States is urged to authorize participation in a comprehensive delta rehabilitation program that will provide for the needs of the Sacramento-San Joaquin Delta and other areas of California; and, be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 8

Assembly Concurrent Resolution No. 23—Relative to P.O.W.-M.I.A. Recognition Day.

[Filed with Secretary of State March 11, 1983.]

WHEREAS, During its history, the United States has, from time to time, fought to defend its interests; and

WHEREAS, In the course of armed conflict, thousands of Americans have fallen into enemy hands and became prisoners of war; and there have been other Americans whose wartime fate is yet unknown; and

WHEREAS, The courage and patriotism of Americans held captive during wartime have been sources of inspiration to all who love this country; and

WHEREAS, The bravery of those who are missing in action, and the persevering love of those they left behind, must never be forgotten by the American public; and

WHEREAS, In particular, the American public should recognize the plight of the families of Americans who fought for their country in Vietnam, and who are yet missing in action; and

WHEREAS, 1983 will mark the decennium of the signing of the peace accords marking the negotiated end to American fighting in Vietnam and of Operation Homecoming, the return of American

P.O.W.s from North Vietnam, and, as this anniversary approaches, hundreds of American families still suffer the dread anxiety of not knowing what has happened to a person very dear to them; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That April 9, 1983, and every April 9 thereafter, is hereby proclaimed P.O.W.-M.I.A. Recognition Day in the State of California; and be it further

Resolved, That each citizen of the State of California is urged to remember the sacrifices of P.O.W.s throughout American history, and to take an active interest in the concerns of the families of Americans still missing in action; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Forgotten Americans Need Support (FANS, Inc.).

RESOLUTION CHAPTER 9

Assembly Joint Resolution No. 11—Relative to aid to Greece and Turkey.

[Filed with Secretary of State March 11, 1983.]

WHEREAS, The United States and Greece have enjoyed harmonious relations throughout history as democratic nations committed to peace and international cooperation. These relations have included mutual action on behalf of freedom in World Wars I and II and the present membership of both nations in the NATO alliance; and

WHEREAS, Our nation has links with Greece not only through a mutual belief in democracy, but also through the human bond formed by the millions of Greek Americans who have contributed so much to the advancement of our nation and, specifically, our state; and

WHEREAS, The foreign policy of the United States has for many years wisely sought to preserve good relations with our allies by maintaining the balance of power between Turkey and Greece in the established aid ratio of 10:7 for the respective countries; and

WHEREAS, The administration now proposes to the Congress a drastic change in the aid ratio whereby military aid to Turkey would be more than doubled, thus further destabilizing the region, endangering Greek security, and undermining NATO; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to reject the above-mentioned proposal; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of

this resolution to the President and Vice President of the United States, to the Secretary of State of the United States, to each Member of Congress, to the Foreign Relations Committee of the United States Senate, and to the Foreign Affairs Committee of the House of Representatives.

RESOLUTION CHAPTER 10

Assembly Joint Resolution No. 10—Relative to Clean Air Act sanctions.

[Filed with Secretary of State March 15, 1983.]

WHEREAS, The Administrator of the Environmental Protection Agency has announced that the Clean Air Act (42 U.S.C. Sec. 7401 et seq.) requires the agency to invoke the construction ban sanction and, in some cases, to cut off all air grant and highway construction funds by January 31, 1983, for nonattainment areas; and

WHEREAS, The proposed reimposition of federal highway construction funding sanctions by the agency would be a breach of faith with the motoring public in California who are required to pay increased federal gasoline taxes; and

WHEREAS, The proposed reimposition of a highway construction funding sanction upon California, under the enforcement program recently announced by the agency, would jeopardize many highway projects within California which are vital to public safety; and

WHEREAS, The California Legislature passed Senate Bill No. 33 (Chapter 892 of the Statutes of 1982) establishing vehicle inspection and maintenance only after repeated assurances from the Environmental Protection Agency that the legislation would be sufficient to remove highway construction funding sanctions and other sanctions imposed upon California; and

WHEREAS. California's recently enacted vehicle inspection and maintenance program contained in Senate Bill No. 33 may be jeopardized if the agency breaches good faith and reimposes a highway construction funding sanction upon California on or after January 31, 1983; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California, without any intention to address the basic framework of the Clean Air Act, respectfully memorializes the Congress of the United States to take appropriate action to ensure that the Environmental Protection Agency does not reimpose sanctions against highway construction funding or sewer construction funding, or continue the imposition of a ban on construction or modification of major stationary sources; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of

this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 11

Assembly Concurrent Resolution No. 38—Relating to Amnesty International U.S.A.

[Filed with Secretary of State March 18, 1983.]

WHEREAS, The violation of human rights continues to be a practice of many of the world's nations; and

WHEREAS, Individuals throughout the world continue to be detained because of their beliefs, color. sex, ethnic origin, language, or religious creed; and

WHEREAS, Men and women of many nations continue to be imprisoned without charges being filed against them or without the benefit of fair trials; and

WHEREAS, Prisoners of conscience in thousands of prisons continue to be tortured and to suffer inhumane forms of punishment during their incarceration; and

WHEREAS, The people of the United States of America and of the State of California have a deep love; for the basic human right of freedom of expression, of the right to peacefully dissent from the policies of any government, of the right to fair and prompt trials for all people who are detained for any reason, and of the right to humane treatment during a period of incarceration; and

WHEREAS, Amnesty International is an independent worldwide movement working for the international protection of human rights, seeking the release of men and women termed prisoners of conscience and detained because of their beliefs, color, sex, ethnic origin, language, or religious creed, provided they have not used or advocated violence, and working for fair and prompt trials for all political prisoners and on the behalf of those people detained without charge or trial; and

WHEREAS, The work of Amnesty International has directly or indirectly led to the release or the improvement of conditions of roughly half of the prisoners of conscience on whose behalf the organization has interceded; and

WHEREAS, For its overwhelming success in the field of human rights, Amnesty International was the recipient of the Nobel Prize for Peace in 1977; and

WHEREAS, One of Amnesty International U.S.A.'s two United States regional offices is located in Los Angeles and Amnesty International U.S.A. also has a major office in San Francisco; now,

therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That Amnesty International be commended for its outstanding work in the cause of human rights, for being the voice of thousands who would otherwise go unheard, and for being a ray of hope into dark, hidden dungeons where otherwise there would be no hope, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Amnesty International U.S.A.

RESOLUTION CHAPTER 12

Assembly Concurrent Resolution No. 58—Relative to child abuse prevention.

[Filed with Secretary of State March 18, 1983]

WHEREAS, The problem of child abuse is rapidly growing both in size and severity in our society; and

WHEREAS, There were more than one million children seriously abused in the United States last year; and

WHEREAS, Children are a precious resource of this state; and

WHEREAS, Persons abused and neglected as children are prone to commit violent crimes as adults; and

WHEREAS, Child abuse and neglect prevention and intervention programs help protect children, stabilize families, and contribute to a reduction in crimes; and

WHEREAS, Effective child abuse prevention programs can save lives, avoid physical and emotional suffering, and save dollars; and

WHEREAS, The California Legislature is deeply concerned about the plight of the victims of child abuse in the state; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the month of April shall be designated Child Abuse Prevention Month in the State of California.

RESOLUTION CHAPTER 13

Senate Concurrent Resolution No. 2—Relative to artistic and cultural resources.

[Filed with Secretary of State March 18, 1983.]

WHEREAS, The enjoyment of and participation in the arts are vital components of the quality of life in California; and

WHEREAS, The arts play an important role in the economy of this

state; and

WHEREAS, There has been a significant decline over the past decade in the number of arts programs offered in the state's public schools; and

WHEREAS, Creation of a Joint Committee on the Arts would enable the Legislature to better monitor existing arts programs and address issues relating to the arts in California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That:

1. The Joint Committee on the Arts is hereby created and authorized and directed to study, investigate and analyze the following matters:

(a) The goals appropriate to the future of the arts and cultural life of California.

(b) The role the Legislature and state government should play in the achievement of these goals.

(c) Arts and cultural legislation in other states and at the federal level, with a view towards recommendations for the introduction of legislation in California.

(d) The budgets and programs of the California Arts Council and other state supported arts and cultural programs and agencies.

(e) The present status of arts education in California.

(f) The economic impact of the arts in California.

2. The committee shall report to the Legislature as directed by the Joint Rules Committee and shall include in its report recommendations for appropriate legislation.

3. The committee shall consist of the following members:

(a) Six Members of the Senate appointed by the Senate Rules Committee.

(b) Six Members of the Assembly appointed by the Speaker of the Assembly.

The chairman of the committee shall be appointed by the Joint Rules Committee.

4. The committee shall continue in existence until November 30, 1984.

5. The committee has the following powers and duties:

(a) All of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the committee and its members.

(b) To contract, subject to the Joint Rules, with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The Joint Rules Committee may make funds available from the Contingent Funds of the Assembly and Senate for the purposes of this resolution, and the joint committee may expend such funds for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution; provided, that any expenditure of funds shall be made in compliance with policies set forth by the Joint Rules Committee and shall be subject to the approval of the Joint Rules Committee.

RESOLUTION CHAPTER 14

Assembly Joint Resolution No. 39—Relative to National Agriculture Week.

[Filed with Secretary of State March 22, 1983.]

WHEREAS, Agriculture is California's leading industry, providing a vital link in a chain, either directly or indirectly, involving millions of Californians in getting food from the farmers' fields to the consumers; and

WHEREAS, California's agricultural productivity forms the cornerstone of the state's economy, contributing annually fifteen billion dollars ($15,000,000,000) in gross farm receipts from the production of 250 different crops and livestock products; and

WHEREAS, California is the leading agriculture producing state in the United States, nine of the nation's top 12 agriculture producing counties are located in California, and California's food and fiber is a vital ingredient in our strength as a nation, both domestically and on the world scene; and

WHEREAS, California, recognizing the importance of youths in agriculture, boasts one of the finest agricultural educational systems in the world, with its universities and colleges being leading innovators of research and development in everything from farm implements to crop strains; and

WHEREAS, To maintain a healthy industry and promote a better economy, it is necessary that all of the people in the United States should be aware of, and have an interest in, the manner in which agriculture affects their everyday lives; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature hereby proclaims the week of March 18 through March 24, 1983, as "National Agriculture Week" and March 21, 1983, as "Agriculture Day"; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Governor and to the President of the United States.

RESOLUTION CHAPTER 15

Assembly Joint Resolution No. 15—Relative to the hazardous waste.

[Filed with Secretary of State March 22, 1983.]

WHEREAS, The Environmental Protection Agency (E.P.A.) delayed 18 months in publishing the list of hazardous waste sites eligible for cleanup moneys under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601, et seq., "Superfund"), and has only cleaned up five sites under the act; and

WHEREAS, The E.P.A. has failed to protect the citizens of the United States from the dangers of abandoned hazardous waste sites; and

WHEREAS, California has been a leader among the states in its efforts to join with the federal government in cleaning up hazardous waste sites, through the Carpenter-Presley-Tanner Hazardous Substance Account Act (Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code, "California State Superfund"); and

WHEREAS, California has yet to receive any federal Superfund moneys for the cleanup of the three hazardous waste sites which have already been designated by E.P.A. as "highest priority," and E.P.A. has also failed to include 12 additional California sites on the eligibility list which were strongly recommended for eligibility by the State Department of Health Services; and

WHEREAS, E.P.A. intends to pursue a new policy of exhausting all available enforcement remedies against potentially responsible parties before initiating any federal Superfund moneys; and

WHEREAS, The former Administrator of the E.P.A., Anne (Gorsuch) Burford, has been cited for contempt of the Congress of the United States for her refusal to turn over documents relative to the E.P.A.'s handling of the Superfund toxic waste cleanup program; and

WHEREAS, The Federal Bureau of Investigation has been called into the offices of the E.P.A. to investigate the potential destruction of documents subpoenaed in the congressional investigation of the E.P.A.; and

WHEREAS, The recent controversies involving staff at the E.P.A. have shaken public confidence in the fair and forthright implementation of E.P.A.'s mission to protect the environment and the health and safety of the people of the United States; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorialize the President of the United States to direct the new Administrator of the Environmental Protection Agency to quickly

and effectively implement all the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, to speedily distribute the moneys in the Hazardous Substance Response Trust Fund for the cleanup of all hazardous waste sites which pose an imminent and substantial danger to the public health or welfare, and to modify the current enforcement policies by not waiting to exhaust all enforcement remedies before initiating hazardous waste site remedial actions; and be it further

Resolved, That a full investigation of the conduct of the Superfund program by the E.P.A. be instituted, including investigation of alleged conflict of interest by past or current government officials in decisions affecting the cleanup of the Stringfellow Acid Pit in Riverside, California; and be it further

Resolved, That the President direct the E.P.A. to commit itself to full public participation by affected citizens in the implementation of the Superfund cleanup program, so as to restore the public's faith in the integrity of the program of the E.P.A.; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Administrator of the Environmental Protection Agency.

RESOLUTION CHAPTER 16

Assembly Concurrent Resolution No. 64—Relative to commending the Honorable Robert M. McLennan, M.D.

[Filed with Secretary of State April 5, 1983.]

WHEREAS, The Honorable Robert M. McLennan, M.D., served the people of California with distinction as a member of the Assembly of the State of California from 1973 to 1976; and

WHEREAS, Dr. McLennan was born in Shreveport, Louisiana, on December 1, 1915, the son of Walter P. McLennan, a Seventh-Day Adventist Minister; he attended Arizona Academy, Phoenix Junior College, and Columbia University, from which he received his Bachelor of Science degree in 1936; and

WHEREAS, Dr. McLennan pursued his postgraduate studies in medicine at Loma Linda University, and he received the degree of Doctor of Medicine in 1942; that same year, he entered the United States Army Air Corps, where he served four years as a flight surgeon; and

WHEREAS, After completing his military service, Dr. McLennan pursued a family practice in South Gate for more than a quarter of a century; in 1973, he was elected to the Assembly in a special

election, and, after redistricting, he was reelected in 1974; and

WHEREAS, Dr. McLennan was the only medical doctor in the California Legislature during his tenure of office, and he devoted special attention to fiscal responsibility, public accountability for legislators, and anti-crime measures; and

WHEREAS, Since his retirement from the Legislature, Dr. McLennan has been working part-time as an Assistant Clinical Professor in the Department of Family and Community Medicine of the University of California at San Francisco; and

WHEREAS, A man blessed with many talents, Dr. McLennan is a gifted singer, well-known for his solo appearances at many religious services and other community functions throughout the state; Dr. McLennan's athletic prowess is reflected in his golf and tennis championships and his softball exploits; and

WHEREAS, Dr. McLennan married Frances Powers in 1940, and their union has been blessed with four children and three grandchildren (another grandchild is on the way); now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Honorable Robert M. McLennan, M.D., be honored and commended for his many achievements, and extended sincere gratitude for his important contributions to the people of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Honorable Robert M. McLennan, M.D.

RESOLUTION CHAPTER 17

Assembly Concurrent Resolution No. 13—Relative to school textbook standards.

[Filed with Secretary of State April 8, 1983]

WHEREAS, There is a need to provide for the review of textbooks utilized in the state public school system; and

WHEREAS, The development of state textbook standards by the State Board of Education and the Superintendent of Public Instruction will assist school districts in the selection of textbooks which are appropriate for the grade levels taught; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the State Board of Education and the Superintendent of Public Instruction shall review and develop uniform textbook standards in 1983 to be made available to local school districts; and be it further

Resolved, That the State Board of Education and the

Superintendent of Public Instruction shall submit a report to the Legislature on or before July 1, 1984, regarding the development of textbook standards for the state public school system; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the State Board of Education and the Superintendent of Public Instruction.

RESOLUTION CHAPTER 18

Assembly Concurrent Resolution No. 14—Relative to pupil performance standards.

[Filed with Secretary of State April 8, 1983]

WHEREAS, The State Board of Education and the Superintendent of Public Instruction have recently undertaken the task of developing statewide graduation requirements and model curriculum standards to be made available to local school districts in 1983; and

WHEREAS, The State Board of Education and the Superintendent of Public Instruction will require each school district governing board to review its existing graduation requirements and curriculum standards in 1984 by comparing them to the model standards and guidelines to be developed by the board; and

WHEREAS, The Legislature of California recognizes that there is a need for the comprehensive review and revitalization of the curriculum offered in the state public school system in order to reverse the pattern of declines in pupil performance standards which have occurred over the past decade; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof, concurring, That the Legislature urges the State Board of Education and the Superintendent of Public Instruction to continue efforts both to develop statewide graduation requirements and model curriculum standards and to require that each school district governing board review its existing standards and compare them to the requirements and model standards during 1984; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the State Board of Education and the Superintendent of Public Instruction.

RESOLUTION CHAPTER 19

Assembly Concurrent Resolution No. 15—Relative to ocean resources.

[Filed with Secretary of State April 8, 1983.]

WHEREAS, The economic value of the marine resources that California enjoys because of its 1,100-mile boundary on the Pacific Ocean constitutes a natural wealth of enormous magnitude; and

WHEREAS, The marine resources off the shore of California have provided food, energy, recreation, employment, and have historically contributed to the general welfare of our citizens; and

WHEREAS, Man's activities in the marine environment can have a profound short-term and long-term impact on that environment and can greatly affect the resources therein; and

WHEREAS, Man will increasingly be forced to rely on marine resources as other resources are depleted, and our ability to protect, preserve, develop, and utilize these resources is related to our understanding of multiple-use conflicts and comprehensive resource management; and

WHEREAS, The state's interest in the ocean has been fragmented, sporadic, and narrowly limited, without statewide objectives for the management of marine resources or a clear statutory statement of functional responsibility for marine resources as a whole; and

WHEREAS, The California Coastal Commission and the Department of Fish and Game jointly sponsored an ocean studies symposium from November 7 to 10, 1982, which examined ocean resource use conflicts and management alternatives; and

WHEREAS, The California Coastal Commission and the Department of Fish and Game will jointly submit a report to the Governor and the Legislature in February 1983, highlighting the results of the ocean studies symposium; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature recognizes the importance and economic value of our marine resources and that comprehensive resource management plans are urgently needed to guarantee the long-term viability of these precious resources; and be it further

Resolved, That the Joint Committee on Fisheries and Aquaculture evaluate the ocean studies symposium report and recommend to the Legislature an action plan for implementation; and be it further

Resolved, That the Joint Committee on Fisheries and Aquaculture hold an interim hearing in the fall of 1983 on the matter of marine resource management, and with staff assistance from the Assembly and Senate Offices of Research, submit an action plan to the Legislature by January 1, 1984; and be it further

Resolved, That in order to fulfill its prescribed duties, the Joint Committee on Fisheries and Aquaculture seek the cooperation and assistance of the California Coastal Commission, the Department of

Fish and Game, the State Water Resources Control Board, the State Lands Commission, the Department of Boating and Waterways, the California Association of Port Authorities, and other state, local, and federal agencies with responsibility for marine resource management; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Chairman and the Vice Chairman of the Joint Committee on Fisheries and Aquaculture, to the Director of the Assembly Office of Research, and to the Director of the Senate Office of Research.

RESOLUTION CHAPTER 20

Assembly Concurrent Resolution No. 59—Relative to Holocaust Memorial Week.

[Filed with Secretary of State April 8, 1983]

WHEREAS, The horrors of the Holocaust must never occur again; therefore, the human race must never forget this historical tragedy; and

WHEREAS, The United States Holocaust Memorial Council has designated the week of April 10 through April 17, 1983, as Holocaust Memorial Week—Days of Remembrance for Victims of the Holocaust; and

WHEREAS, April 10, 1983, is Yom HaSho'ah, and it has been designated internationally as a day of remembrance for victims of the Holocaust; and

WHEREAS, Commemoration of the Holocaust takes on added significance in 1983, which marks the 40th anniversary of the Warsaw Ghetto Uprising; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the week of April 10 through April 17, 1983, is proclaimed as Holocaust Memorial Week in California, and that Californians are urged to appropriately observe these Days of Remembrance for Victims of the Holocaust; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 21

Assembly Concurrent Resolution No. 35—Relative to proclaiming April 1983 "Independent Living Month."

[Filed with Secretary of State April 19, 1983.]

WHEREAS, Independent living centers result in deinstitutionalization by encouraging disabled persons to exercise their right to live in their own communities; and

WHEREAS, The centers provide cost-effective ways to deliver services to persons with all kinds of disabilities; and

WHEREAS, The centers are good examples of consumer based decisionmaking because the majority of policymakers are disabled persons; and

WHEREAS, The centers utilize the concept of the disabled helping disabled persons and thereby foster the idea that true independence is learning to live interdependently; and

WHEREAS, The centers help to redefine the meaning of "disability" in showing that by removing both physical and program barriers, a disabled persons' ability to contribute to society is not limited and that being disabled is not such a great disadvantage; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the month of April 1983 is proclaimed "Independent Living Month" throughout the state.

RESOLUTION CHAPTER 22

Assembly Concurrent Resolution No. 29—Relative to the Great California Resource Rally.

[Filed with Secretary of State April 19, 1983.]

WHEREAS, More than 35 million tons of nonhazardous solid wastes are buried each year in California and many of the state's 356 sanitary landfills are closing for want of space or failure to meet health and safety standards; and

WHEREAS, Californians spend more than $1.2 billion each year to collect, transfer, haul, and bury solid wastes that contain hundreds of millions of dollars of valuable energy and materials that could easily be reused, recycled, or otherwise recovered; and

WHEREAS, The problem of handling and disposing of litter continues to plague California's cities and counties, costing the taxpayers an additional $100 million; and

WHEREAS, The California Waste Management Board is the state agency responsible for initiating and encouraging statewide and community programs in solid waste management planning and enforcement, recycling, resource reuse, energy recovery, litter control, and public education and participation; and

WHEREAS, The California Waste Management Board, with the support of dozens of California public interest groups, businesses, and local governments, is sponsoring the Great California Resource

Rally to be held April 18–24, 1983, to raise Californians' awareness of the state's impending garbage crisis and to encourage citizen participation in litter control, recycling, and waste reduction activities; and

WHEREAS, The Legislature of the State of California has a critical leadership role to play in helping to find solutions to California's solid waste management challenges; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members hereby endorse and support the objectives and goals of the Great California Resource Rally, and urge all Californians to participate in and support recycling, litter control, and waste reduction activities throughout the year but especially during the rally week of April 18–24, 1983; and be it further

Resolved, That this resolution be publicized throughout the state and serve as a formal petition to Californians to endorse and support the Great California Resource Rally; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the California Waste Management Board and to the clerk of the board of supervisors of each county.

RESOLUTION CHAPTER 23

Senate Concurrent Resolution No. 13—Relative to Joint Rules 6, 51, 54, and 61.

[Filed with Secretary of State April 19, 1983]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following rules be adopted as Temporary Joint Rules of the Senate and Assembly for the 1983–84 Regular Session:

First—That Joint Rule 6 is adopted to read:

Resolutions Treated as Bills

6. Concurrent and joint resolutions, other than resolutions ratifying proposed amendments to the United States Constitution and resolutions calling for constitutional conventions, shall be treated in all respects as bills except as follows:

(a) They shall be given only one formal reading in each house.

(b) They shall not be deemed bills within the meaning of subdivision (a) of Section 8 of Article IV of the Constitution.

(c) They shall not be deemed bills for the purposes of Rules 10.8, 53, 55, 56, and 61, and subdivisions (a) and (c) of Rule 54 and subdivisions (a) and (b) of Rule 62.

(d) They shall not, except for those relating to voting procedures on the floor or in committee, be deemed bills for the purposes of

subdivision (c) of Rule 62.

Second—That Joint Rule 51 is adopted to read:

Legislative Calendar

51. (a) The Legislature shall observe the following calendar during the first year of the regular session:

(1) Organizational Recess—The Legislature shall meet on the first Monday in December following the general election to organize. Thereafter, each house shall be in recess from such time as it determines, but not later than the following Friday until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Tuesday.

(2) Easter Recess—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(3) Summer Recess—The Legislature shall be in recess from July 15 until August 15. This recess shall not commence until the Budget Bill is enacted.

(4) Interim Study Recess—The Legislature shall be in recess from September 15 until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Tuesday.

(b) The Legislature shall observe the following calendar for the remainder of the legislative session:

(1) Easter Recess—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(2) Summer Recess—The Legislature shall be in recess from July 6 until August 6. This recess shall not commence until the Budget Bill is enacted.

(3) Final Recess—The Legislature shall be in recess on September 1 until adjournment sine die on November 30.

(c) Recesses shall be from the hour of adjournment on the day specified to reconvene at the time designated by the respective houses.

(d) The recesses specified by this rule shall be designated as joint recesses.

Third—That Joint Rule 54 is adopted to read:

Introduction of Bills

54. (a) No bill may be introduced in the first year of the regular session after March 25 and no bill may be introduced in the second year of the regular session after February 17. These deadlines shall not apply to constitutional amendments, committee bills introduced pursuant to Assembly Rule 47 or Senate Rule 23, bills introduced in the Assembly with the permission of the Speaker of the Assembly, or bills introduced in the Senate with the permission of the Senate Committee on Rules. Subject to these deadlines, bills may be introduced at any time except when the houses are in joint summer,

interim, or final recess. Each house may provide for introduction of bills during a recess other than a joint recess. Bills shall be numbered consecutively during the regular session.

(b) The desks of the Senate and Assembly shall remain open, during a joint recess, other than a joint summer, interim, or final recess, for introduction of bills, during business hours on Monday through Friday, inclusive, except holidays. Bills received at the Senate desk during such periods shall be numbered and printed. After printing, such bills shall be delivered to the Secretary of the Senate and shall be referred by the Senate Committee on Rules to a standing committee. Bills received at the Assembly desk during such periods shall be numbered, printed, and referred to a committee by the Assembly Committee on Rules. After printing, such bills shall be delivered to the Chief Clerk of the Assembly. On the reconvening of each house, the bills shall be read the first time, and shall be delivered to the committee to which they were referred.

(c) A member may not author a bill during a session that would have substantially the same effect as a bill he or she had previously introduced during that session. This restriction shall not apply in cases where a previously introduced bill has been vetoed by the Governor or has had its provisions "chaptered out" by a later chaptered bill pursuant to Section 9605 of the Government Code. An objection may be raised only while the bill is being considered by the house in which it is introduced. In such case the objection shall be referred to the Committee on Rules of the house for a determination. The bill shall remain on file or with a committee, as the case may be, until such determination is made. If upon consideration of the objection the Committee on Rules determines that the bill objected to would have substantially the same effect as another bill previously introduced during the session by the author, the bill objected to shall be stricken from the file or returned to the desk by the committee, as the case may be, and shall not be acted upon during the remainder of the session. If the Committee on Rules determines that the bill objected to would not have substantially the same effect as a bill previously introduced during the session by the author, the bill may thereafter be acted upon by the committee or the house, as the case may be. The Committee on Rules may obtain such assistance as it may desire from the Legislative Counsel as to the similarity of a bill or amendments to a prior bill. This joint rule may be suspended in the manner provided by the rules of the house in which the bill was introduced.

(d) During a joint recess, the Chief Clerk of the Assembly or Secretary of the Senate shall order the preparation of preprint bills when so ordered by any of the following:

(1) The Speaker of the Assembly.

(2) The Committee on Rules of the respective houses.

(3) A committee with respect to bills within the subject matter jurisdiction of the committee.

Preprint bills shall be designated as such and shall be printed in the

order received and numbered in the order printed. To facilitate subsequent amendment, preprint bills shall be so prepared that when introduced as a bill, the page and the line numbers will not change. The Chief Clerk of the Assembly and Secretary of the Senate shall publish a list periodically of such preprint bills showing the preprint bill number, the title, and the Legislative Counsel's digest. The Speaker of the Assembly and Senate Committee on Rules may refer all preprint bills to committee for study.

Fourth—That Joint Rule 61 is adopted to read:

Deadlines

61. The following deadlines shall be observed by the standing committees of the Assembly and Senate:

(a) Odd-numbered year:

(1) Between April 29 and September 16, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a fiscal committee requiring further action on a bill that was introduced in their respective houses, unless passed by a policy committee on or before April 29. A report may be received from a fiscal committee on or before June 17, however, if after April 29 the Legislative Counsel's digest of the bill is changed to indicate reference to fiscal committee.

(2) Between May 20 and September 16, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a policy committee requiring further action on a bill that was introduced in their respective houses.

(3) Between June 17 and September 16, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a fiscal committee concerning a bill that was introduced in their respective houses.

(4) Between June 24 and September 16, no bill shall be passed by the house in which it was introduced, other than on concurrence in amendments adopted in the other house.

(5) No bill introduced in the other house shall be set for hearing in a policy committee unless, no later than July 1, the author files a request for hearing with the chairman of the policy committee.

(6) Between August 26 and September 16, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a fiscal committee requiring further action on a bill that was introduced in the other house, unless it was passed by a policy committee on or before July 15. A report may be received from a fiscal committee on or before August 26, however, if after July 15 the Legislative Counsel's digest of the bill is changed to indicate reference to fiscal committee.

(7) Between June 10 and June 20, and between August 19 and August 29, no committee other than a fiscal committee shall meet for the purpose of hearing any bill.

(8) Between June 19 and June 27, and after August 28, no

committee shall meet for the purpose of hearing any bill.

(9) Between August 28 and September 16, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from any committee requiring further action by their respective houses.

(b) Even-numbered year:

(1) After January 13, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a policy committee concerning bills introduced in their respective houses during the odd-numbered year which require further consideration by the fiscal committee. Such a report may be received from a policy committee on or before January 20, however, if the Legislative Counsel's digest of the bill is changed to indicate reference to fiscal committee.

(2) After January 20, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from any committee concerning bills introduced in their respective houses during the odd-numbered year requiring further action in that house.

(3) After April 27, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a fiscal committee requiring further action on a bill that was introduced in their respective houses, unless it was passed by a policy committee on or before April 27. A report may be received from a fiscal committee on or before June 8, however, if after April 27 the Legislative Counsel's digest of the bill is changed to indicate reference to fiscal committee.

(4) After May 11, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a policy committee requiring further action on a bill that was introduced in their respective houses.

(5) After June 8, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a fiscal committee concerning a bill that was introduced in their respective houses.

(6) After June 15, no bill shall be passed by the house in which it was introduced, other than on concurrence in amendments adopted in the other house.

(7) No bill introduced in the other house shall be set for hearing in a policy committee unless, no later than June 22, the author files a request for hearing with the chairman of the policy committee.

(8) After August 17, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a fiscal committee requiring further action on a bill that was introduced in the other house, unless it was passed by a policy committee on or before July 6. A report may be received from a fiscal committee on or before August 17, however, if after July 6 the Legislative Counsel's digest of the bill is changed to indicate reference to fiscal committee.

(9) After August 10, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a policy committee requiring further action on a bill that was introduced in

the other house.

(10) Between June 1 and June 11, and between August 10 and August 20, no committee other than a fiscal committee shall meet for the purpose of hearing any bill.

(11) After August 19, the Secretary of the Senate and the Chief Clerk of the Assembly shall not receive a report from a fiscal committee requiring further action on a bill that was introduced in the other house.

(12) Between June 10 and June 18, and after August 19, no committee shall meet for the purpose of hearing any bill.

(c) If a bill is acted upon in committee before the relevant deadline and the committee votes to report the bill out with amendments that have not at the time of the vote been prepared by the Legislative Counsel, the Secretary of the Senate and the Chief Clerk of the Assembly may subsequently receive a report recommending the bill for passage or for rereferral together with the amendments at any time within two legislative days after the deadline.

(d) Bills in the house of origin not acted upon during the odd-numbered year as a result of the deadlines imposed in subdivision (a) may be acted upon when the Legislature reconvenes after the interim study joint recess, or at any time the Legislature is recalled from the interim study joint recess.

(e) The deadlines imposed by this rule shall not apply to the rules committees of the respective houses.

(f) The deadlines imposed by this rule shall not apply in instances where a bill is referred to committee under Rule 26.5.

(g) Except as provided in paragraphs (a)(8) and (b)(12), the deadlines imposed by this rule shall not apply to constitutional amendments or those bills which go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the Constitution of California.

(h) This rule may be suspended as to any particular bill in the manner provided by the rules of the house in which the bill is being considered.

RESOLUTION CHAPTER 24

Assembly Joint Resolution No. 45—Relative to victims of crime.

[Filed with Secretary of State April 20, 1983.]

WHEREAS, There have been more than 30,000 willful homicide victims in California during the past 20 years; and

WHEREAS, The total annual number of reported major crimes committed in California has increased from 276,658 in 1962 to 1,207,549 in 1981; and

WHEREAS, It is more than twice as likely today that a resident of the State of California will be a crime victim than it was 20 years ago; and

WHEREAS, It is in the best interests of not only victims and their families but for all Californians for this unfortunate scenario to be immediately changed for the better; and

WHEREAS, The President's Task Force on Victims of Crime has recently focused national attention on the plight of crime victims; and

WHEREAS, The most effective and expeditious way to make positive change is to create a systematic and universal, statewide structure for providing services to victims and their families; and

WHEREAS, The University of the Pacific, McGeorge School of Law, is now in the process of creating such a statewide structure, with its ultimate goal being to deliver services to crime victims and their families; and

WHEREAS, That statewide structure will use law school clinical programs, a network of legal, medical and lay volunteers and the sustained commitment of political, social, civic and religious leaders and organizations to pursue the goal of providing the following services everywhere in California:

(1) Represent victims of violent crime and their families before the State Board of Control in compensation hearings;

(2) Represent victims and their families in adult and juvenile courts during sentencing, final disposition proceedings and restitution hearings;

(3) Represent victims and their families in adult and juvenile parole hearings;

(4) Represent victims and their families in civil litigation against perpetrators or responsible third parties;

(5) Assist victims and their families in obtaining assistance from public and private agencies;

(6) Establish a victims' hotline by use of a statewide toll-free number so that victims and their families may easily gain access to advice and assistance when needed;

(7) Compile a comprehensive list of victims' assistance resources including legal and medical counseling, financial and other resources to which victims can be referred;

(8) Produce and distribute throughout California the necessary audio-visual and print media public service announcements to inform the citizenry about victims' rights and promote the services made available through the statewide McGeorge School of Law Victims Resource Center;

(9) Create and maintain a statewide network of volunteer lawyers to assist in providing legal services to victims and their families;

(10) Provide direct mailed material to victims concerning victims' rights and crime prevention;

(11) Compile and maintain a library and brief bank of victims' rights;

(12) Do scholarly research on victims' rights;

(13) Prepare and publish articles and other publications relevant to promoting services to victims and their families;

(14) Act as a clearinghouse of information for victims' assistance resources;

(15) Provide legal assistance to victims' advocacy and service programs;

(16) Train attorney and nonattorney victims' advocates concerning the legal rights of victims;

(17) Prepare and file amicus curiae (friend of the court) briefs in carefully selected local, state and national victims' rights cases on appeal;

(18) Assist victims to enforce restitution orders against perpetrators;

(19) Provide support to the National Victims' Assistance Legal Organization in its efforts to aid victims and promote their rights;

(20) Promote awareness of the plight of victims and their families; and

WHEREAS, There is no similar comprehensive statewide program for victims and their families; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, The Legislature respectfully memorializes the President of the United States, the Attorney General of the United States, the Governor of the State of California, the Attorney General of California, the National Institute of Justice, the Federal Office of Justice Assistance, Research and Statistics, the Federal Office of Juvenile Justice and Delinquency Prevention, the National Legal Services Corporation, the State Office of Criminal Justice Planning, California's district attorneys, police chiefs, sheriffs, law enforcement agencies and associations, boards of supervisors, city councils, mayors, political, social, religious and civic leaders and organizations, the California State Bar, California's more than 125 private bar associations and 80,000 lawyers and, indeed, all Californians, to provide all possible encouragement and support to McGeorge's new, most praiseworthy and ambitious statewide legal services program; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, the Attorney General of the United States, and the Governor and Attorney General of California.

RESOLUTION CHAPTER 25

Assembly Joint Resolution No. 1—Relative to the Equal Rights Amendment.

[Filed with Secretary of State April 25, 1983.]

WHEREAS, Legal injustice and discrimination on the basis of sex have long existed; and

WHEREAS, Efforts to defeat final ratification of the Equal Rights Amendment were aided in great measure by an insensitivity to the essential injustice long suffered by the women of this country because of established discrimination on the basis of sex; and

WHEREAS, The citizens of California clearly support an end to discrimination on the basis of sex in the Constitution of this nation, as the United States has previously renounced slavery, racial discrimination, and denial of the right to vote on the basis of race or sex; and

WHEREAS, Congress in 1972 proposed a federal Equal Rights Amendment to the Constitution to provide for equality of the law regardless of sex, which was narrowly defeated in 1982; and

WHEREAS, The California State Legislature prefers that each state ratify the federal ERA to achieve a uniform national policy; and

WHEREAS, Two-thirds of the American public have consistently voiced, through public opinion polls, their strong support for the federal ERA; and

WHEREAS, California ratified the federal Equal Rights Amendment in 1972; and

WHEREAS, The California State Legislature again stands ready to ratify the proposed federal ERA, introduced before Congress in 1983, when Congress approves it for state ratification; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to propose to the several states an amendment to the Constitution of the United States stating that equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 26

Assembly Concurrent Resolution No. 19—Relative to Medi-Cal.

[Filed with Secretary of State April 26, 1983]

WHEREAS, The Medi-Cal program reimburses health care providers for health services rendered to eligible low-income persons; and

WHEREAS, Chapters 328 (A.B. 799), 329 (A.B. 3480), and 1594 (S.B. 2012) of the Statutes of 1982, made extensive changes in the Medi-Cal program; and

WHEREAS, In order to ensure both the fiscal integrity of this program, and the continued provision of high-quality services to Medi-Cal recipients, it is necessary for the Legislature to monitor both the impact and implementation of the changes made in Chapters 328, 329, and 1594 of the Statutes of 1982, as well as to monitor other matters relating to the administration of the program; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Committee on Medi-Cal Oversight is hereby created and authorized to:

(a) Study, analyze, and monitor the implementation of all measures enacted by Chapters 328, 329, and 1594 of the Statutes of 1982.

(b) Evaluate the implementation process of these measures to ensure that they are accurately and efficiently established and that implementation is accomplished in a timely fashion.

(c) Ensure that the subsequent Medi-Cal policies, procedures, and regulations established by the department are commensurate with the intent of the Legislature when these measures were adopted.

(d) Monitor the development of the reprocurement request for proposal, invitation for bid, bidding process, and contract award for a new fiscal intermediary for Medi-Cal, to ensure an uncontested contract and that subsequently there shall be a smooth conversion to a new contractor; and monitor the conversion process to ensure the least amount of difficulty to the state and providers while maintaining the integrity of the existing system; and be it further

Resolved, That the Joint Committee on Medi-Cal Oversight shall consist of four Members of the Senate, appointed by the Senate Rules Committee, and four Members of the Assembly, appointed by the Speaker of the Assembly; and be it further

Resolved, That the chairman shall be appointed by the Speaker of the Assembly and that vacancies occurring in the membership of the committee shall be filled by the appointing power; and be it further

Resolved, That the Joint Committee on Medi-Cal Oversight is authorized to act during this session of the Legislature, including any recess, until the end of the 1983–84 Regular Session on which date the committee shall terminate, and that the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members; and

be it further

Resolved, That the Joint Committee on Medi-Cal Oversight shall utilize input from provider, beneficiary, and community advisory groups in order to properly assess the impact of the enacted reform measures on the Medi-Cal program; and be it further

Resolved, That the staff to the Joint Committee on Medi-Cal Oversight shall be appointed by the chairman of the committee, and that the committee, through its staff, shall do any and all things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the Joint Rules Committee may make such money available from the Contingent Funds of the Assembly and Senate as it deems necessary for the expenses of the committee and its members, and in accordance with Joint Rule 36.8, any such expenditure of funds shall be made in compliance with policies set forth by the Joint Rules Committee and shall be subject to the approval of the Joint Rules Committee.

RESOLUTION CHAPTER 27

Assembly Concurrent Resolution No. 42—Relative to Deaf Awareness Day.

[Filed with Secretary of State April 26, 1983]

WHEREAS, Professional surveys have shown that 10 percent of the general population of the United States suffers a measurable degree of hearing loss ranging from minimal to total; and

WHEREAS, Historically, the deaf in California and the United States have been underemployed due largely to misinformation regarding the capabilities of deaf workers; and

WHEREAS, The deaf are organized to the point where those persons involved personally with hearing impairment constitute a subculture that extends across the United States and around the world as evidenced by the organization of the World Games for the Deaf to be hosted by the City of Los Angeles in 1985 which will attract deaf athletes from around the world; and

WHEREAS, A bequest from the estate of Theophilus d'Estrella in 1930 marked the first contribution in a series of fundraising efforts which culminated in the establishment of the California Home for Aged Deaf (CHAD) in Los Angeles in 1952, and in the opening of a second California Home for the Aged Deaf in Arcadia in 1965; and

WHEREAS, The California Association of the Deaf has been a central force in California advocacy on behalf of the deaf for over 75 years; and

WHEREAS, A majority of those persons whose hearing is seriously

impaired to the point where education and social interaction are made difficult have formed a social entity on whose members they rely upon almost exclusively for entertainment and companionship; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California reaffirms its commitment to the evaluation and development of innovative educational facilities, programs, and techniques for hearing-impaired children in California; the development of employment opportunities for this state's hearing-impaired; the positive depiction of hearing-impaired people of all walks of life as valuable, contributing members of California society; and the protection of the rights of the hearing-impaired; and be it further

Resolved, That the members designate Saturday, April 30, 1983, as "Deaf Awareness Day" throughout California and urge their fellow Californians to join in its celebration; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the Superintendent of the California School for the Deaf, the Administrator of the California Home for Aged Deaf, the California Association for the Deaf, the California Speech-Language-Hearing Association, the Hearing Society for the Bay Area, and the Superintendent of Public Instruction for distribution to school districts throughout California.

RESOLUTION CHAPTER 28

Assembly Concurrent Resolution No. 68—Relative to California Small Business Week.

[Filed with Secretary of State April 26, 1983]

WHEREAS, The President of the United States of America, by proclamation, has designated the week of May 8 through May 14, 1983 as Small Business Week, in special tribute to the outstanding contributions of the small businesswomen and businessmen of this nation, with the official theme "There's No Business Like Small Business"; and

WHEREAS, There are more than 14 million small businesses, as defined by the Small Business Administration, in the United States, and over 2 million of these small businesses are in California, employing approximately 10 million Californians; and

WHEREAS, Statistics of the federal government indicate that these small businesses account for 38 percent of the gross national product of the United States, create two out of every three new jobs, and produce two and one-half times as many innovations per employee as large firms; and

WHEREAS, The entrepreneurship and productivity of small

businesswomen and businessmen constitute the vital core of the American free enterprise system; and

WHEREAS, The economic health of California depends, in large measure, on the prospects of the state's small businesses; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Governor is hereby requested, in conjunction with the national designation thereof, to proclaim the week of May 8, 1983 through May 14, 1983, inclusive, as California Small Business Week, in special recognition of the contributions which small businesswomen and businessmen have made, and will continue to make, to our state; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Governor.

RESOLUTION CHAPTER 29

Assembly Concurrent Resolution No. 32—Relative to Older Americans Month.

[Filed with Secretary of State April 29, 1983.]

WHEREAS, There are 3.5 million persons 60 years of age or older in California; and

WHEREAS, In our youth-conscious society, there is often a negative attitude towards aging which results in the general stereotyping of older persons as a lonely, inert, and hopeless group of citizens; and

WHEREAS, This unwholesome myth is continuously destroyed by the challenging and successful activities of older persons in all aspects of life; and

WHEREAS, Older persons are vibrant, alive and want, above all else, to continue making their contribution to our society for a long time to come; and

WHEREAS, Older persons are capable of and want to maintain a role in the political, economic and community process, not because they are special, but because they share the universal desire to be active and respected members of our human race; and

WHEREAS, It is to the benefit of all members of our society, individually and as a group, to recognize these basic facts and to adopt a more positive attitude towards aging; and

WHEREAS, The President of the United States has proclaimed that, in accordance with a tradition dating back to 1963, May 1983 shall be designated as Older Americans Month; and

WHEREAS, The President has further proclaimed: "As a nation, we are aging together. Opportunities and support we can provide to older Americans today will benefit all of us tomorrow."; and

WHEREAS, Our senior citizens are one of our most important yet almost untapped natural resources; and

WHEREAS, The President has urged all Americans to join in this call for intergenerational action that will make more meaningful the lives and potential of older Americans and our society as a whole; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby designates May 1983 as Older Americans Month in honor of older Americans; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, the Governor, the California Commission on Aging, the California Senior Legislature, the Director of the Department of Aging, the Triple-A Council of California, the California Association of Area Agencies on Aging, the Congress of California Seniors, the National Retired Teachers Association, the American Association of Retired Persons, the Gray Panthers, the National Association of Retired Federal Employees, the Older Americans Legislative Council, the Older Women's League, the Association of National pro Personas Majores, the California Institute of Senior Centers, the County Supervisors Association of California, and the League of California Cities.

RESOLUTION CHAPTER 30

Assembly Concurrent Resolution No. 56—Relative to Employ the Developmentally Disabled Day.

[Filed with Secretary of State April 29, 1983.]

WHEREAS, The regional centers for the developmentally disabled in California provide assistance to developmentally disabled persons and their families in utilizing appropriate services to meet their special needs; and

WHEREAS, A major goal of the regional centers is to enable persons with developmental disabilities to become as independent as possible and to lead as normal and fulfilling lives as possible; and

WHEREAS, Many developmentally disabled persons have the potential to become productive, tax-paying citizens; and

WHEREAS, The Harbor Regional Center and other regional centers will make special efforts to publicize the capabilities of the developmentally disabled on April 27, 1983; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That April 27, 1983, is proclaimed "Employ the Developmentally Disabled Day," and that the citizens of California are requested to support this effort to uphold the rights and expand the opportunities of developmentally disabled persons.

RESOLUTION CHAPTER 31

Senate Concurrent Resolution No. 7—Relative to grade crossing accidents.

[Filed with Secretary of State May 3, 1983]

WHEREAS, Collisions between locomotives and motor vehicles at grade crossings are never minor accidents and are often fatal to the motorists involved; and

WHEREAS, On January 20, 1983, a wreck involving an Amtrak passenger train and a private automobile at the intersection of Bellaire and Raymer in North Hollywood resulted in the death of Jeanette Cohen Khall, 64, who was driving the auto; and

WHEREAS, This particular grade crossing is considered by local governmental agencies to be the most dangerous crossing in the San Fernando Valley area; and

WHEREAS, There have been several serious accidents at this particular grade crossing, which handles both passenger and freight mainline rail traffic; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Public Utilities Commission is requested to conduct a study of the safety of the grade crossing at Bellaire and Raymer in North Hollywood, including, but not limited to, train speeds in the area, crossing-signal response time, visibility factors, and the installation of additional traffic signal devices, and to report its findings, conclusions, and recommendations thereon to the Legislature within 30 days of the chaptering of this resolution; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Public Utilities Commission.

RESOLUTION CHAPTER 32

Senate Joint Resolution No. 2—Relative to natural gas cost.

[Filed with Secretary of State May 3, 1983.]

WHEREAS, Natural gas is an essential fuel used by many in the preservation of health and life itself; and

WHEREAS, Californians have experienced unprecedented increases in the price they pay for natural gas to heat the air and water in their homes and to prepare their food; and

WHEREAS, Residential energy users in California are facing continued massive natural gas rate increases which are likely to intensify the utility ratepayer revolt which has already struck our state; and

WHEREAS, The Federal Energy Regulatory Commission has the

authority under the Natural Gas Act and the Natural Gas Policy Act to preclude pipeline companies from averaging or rolling in high-cost gas with their lower cost supplies and to preclude pipeline companies from requiring the purchase of high-cost gas by distribution companies; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectively memorializes the Federal Energy Regulatory Commission to:

(a) Initiate a rulemaking proceeding directed toward precluding natural gas pipeline operators under its jurisdiction from averaging or rolling in high-cost natural gas.

(b) Initiate a further rulemaking inquiry directed to establishing a general provision in service agreements providing that customers of natural gas pipeline operators retain the discretion to purchase or not to purchase high-cost natural gas; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Federal Energy Regulatory Commission, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 33

Senate Concurrent Resolution No. 18—Relative to Wellness Week.

[Filed with Secretary of State May 16, 1983.]

WHEREAS, The week of May 15 through 21, 1983, has been designated by the California Council on Wellness and Physical Fitness as "Wellness Week" in California, the purpose of which is to heighten health awareness, promote health enhancement, and improve the quality of health and well-being throughout the state; and

WHEREAS, The purpose of the Committee on Health Education of the Public is to provide educational resources and materials to assist physicians in educating their patients about health maintenance and medical care and to provide health education materials to the public; and

WHEREAS, Each day of Wellness Week has a particular focus: Monday is Self-Responsibility Day; Tuesday is Nutritional Awareness Day; Wednesday is Stress Management Day; Thursday is Physical Fitness Day; and Friday is Environmental Sensitivity Day; and

WHEREAS, During this period, Californians from San Diego to San Francisco to Susanville will be participating in a calendar of wellness programs and activities; and

WHEREAS, Wellness Week will serve as a prototype for an ongoing awareness of wellness and for activities throughout the year;

now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby takes pleasure in joining the California Council on Wellness and Physical Fitness in proclaiming the week of May 15 through 21, 1983, as Wellness Week 1983, and urge their fellow Californians to participate and support the activities of this health prevention program to enhance the quality of life; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the California Council on Wellness and Physical Fitness and to the Committee on Health Education of the Public.

RESOLUTION CHAPTER 34

Assembly Concurrent Resolution No. 39—Relative to the Joint Legislative Audit Committee.

[Filed with Secretary of State May 16, 1983]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That, in addition to any money heretofore made available to it, the sum of seven million five hundred sixty-eight thousand dollars ($7,568,000), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Assembly and Senate for the payment of any and all expenses of the Joint Legislative Audit Committee and its members and of the office of the Auditor General, as established and set forth in Chapter 4 (commencing with Section 10500) of Division 2 of Title 2 of the Government Code, and for any charges, expenses, or claims they may incur, to be paid from such fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the Controller upon the State Treasury.

RESOLUTION CHAPTER 35

Assembly Concurrent Resolution No. 16—Relative to the creation of a telecommunications advisory panel.

[Filed with Secretary of State May 25, 1983]

WHEREAS, The City and the County of Sacramento through the Sacramento Metropolitan Cable Commission is currently negotiating a cable communications service contract with United-Tribune Cable Company of Sacramento or another potential cable communications service provider; and

WHEREAS, The government of the State of California, located

within the region approximated by the boundaries of the County of Sacramento, is potentially the largest institutional consumer of cable communications services; and

WHEREAS, Information technology and cable communications services including monitoring, video distribution, interactive text and video, data transmission, and two-way video conferencing via an institutional cable network on a cable communications system within the County of Sacramento has the potential for improving the structure and functions of state government agencies, and for providing state government agencies and commissions with, among other things, a more efficient and cost-effective method for service delivery, energy management, employee training and interagency communication, among other uses; and

WHEREAS, There is no state agency or department currently authorized to assess the state's potential telecommunications and data communications needs within Sacramento County, to prepare specifications for a cable communications system to meet those needs, or to provide advisory input to the Sacramento Metropolitan Cable Commission to ensure the incorporation of the state's functional specifications into the impending cable communications service contract for the City and the County of Sacramento; and

WHEREAS, If the assessment of the state's potential telecommunications and data communications needs are not performed, state government will not be served adequately by the future cable communications system in Sacramento, potentially resulting in poor servicing, unnecessary duplication of services, systems and efforts, enormous waste of money and state government resources, and a failure to achieve significant cost savings and improved state government agency functions; and

WHEREAS, This measure is introduced in light of the time constraints of current negotiations due to end on or about March 27, 1983, and is intended to protect the state's interests and not to delay or in any way impede current negotiations; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, as follows:

1. There is hereby created the Sacramento Area Telecommunications Advisory Panel. The members of this panel shall be:

(a) The Director of General Services, or his or her designate from the Communications Division.

(b) A member of the California Public Broadcasting Commission.

(c) The Chair of the Joint Rules Committee or his or her designee from the office automation project.

(d) The Legislative Analyst or his or her designee.

(e) The Chairman of the California Information Technology Advisory Board, or a board member designated by the chairman.

(f) The Director of Finance or a representative from the State Office of Information Technology of the Department of Finance.

(g) A Member of the Assembly designated by the Speaker of the

Assembly.

(h) A Member of the Senate designated by the President pro Tempore of the Senate.

2. Utilizing existing staff and agency resources, the duties of the panel shall be:

(a) To assess the state's telecommunications and data communications requirements within the region approximated by the boundaries of the County of Sacramento, and to prepare functional specifications for operating telecommunications systems appropriate to meeting those requirements. The state's telecommunications and data communications requirements shall include current and anticipated use of telecommunications technology for voice, data, and video communications by state agencies through the calendar year 1985. The functional specifications shall be applicable to services available from telephone, cable television and radio communications companies.

(b) To forward by March 1, 1983, or as reasonably soon thereafter, specifications so developed to the Sacramento Metropolitan Cable Television Commission for possible incorporation in the cable communications service contract currently being negotiated between the Sacramento Metropolitan Cable Television Commission and the United Tribune Cable Company of Sacramento, or another potential cable communications service provider in the County of Sacramento.

(c) To maintain a liaison with the appropriate representatives of the City and the County of Sacramento, and with the chairman, members, and staff of the Sacramento Metropolitan Cable Commission, to further the incorporation of the state's functional specifications into the cable communications service contract.

(d) To consult with state agencies, the City of Sacramento, the County of Sacramento, and the United Tribune Cable Company or another potential cable communications service provider in the development of state telecommunications and data communications requirements and functional specifications.

(e) To elect, at its first meeting, a chairman and vice chairman.

3. The Sacramento Area Telecommunications Advisory Panel shall convene its first meeting no later than ten (10) working days after the effective date of this measure, and shall cease to exist on the date upon which a final cable communications service contract is signed by representatives of the City and the County of Sacramento and the United Tribune Cable Company of Sacramento, or another cable communications service provider. The panel shall forward to the Legislature, no later than 30 days following that date, its recommendations for further legislation to guide efficient and effective use by state government of the Sacramento cable communications system and other communications technologies available in the Sacramento region.

RESOLUTION CHAPTER 36

Assembly Concurrent Resolution No. 31—Relative to soil erosion and sediment control specialists.

[Filed with Secretary of State May 27, 1983]

WHEREAS, California is the number one state in the production of food and fiber, with over fourteen billion dollars in sales in 1982; and

WHEREAS, California economy prospers greatly from this bountiful harvest, creating hundreds of thousands of jobs and generating more than fifty-five billion dollars in economic activity beyond the farm; and

WHEREAS, Soil erosion reduces the productivity of our soil and is the main pollutant in our rivers and streams; and

WHEREAS, It is imperative that counties and cities avail themselves of the best technical expertise available; and

WHEREAS, Persons certified as soil erosion and sediment control specialists by the Soil Conservation Society of America and the American Registry of Certified Professionals in Agronomy, Crops and Soils, Ltd. possess the education, and expertise and follow a code of ethics that qualify them to advise on soil conservation measures and plans; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby recognizes the certification of the Soil Conservation Society of America and the American Registry of Certified Professionals in Agronomy, Crops and Soils, Ltd. for soil erosion and sediment control specialists; and be it further

Resolved, That the Legislature of the State of California recommends to the counties and cities of California that soil erosion and sediment control specialists be consulted in the formulation and implementation of soil erosion and sediment control issues in ordinances and plans; and be it further

Resolved, That the Chief Clerk transmit copies of this resolution to the Governor, to the Secretary of the Resources Agency, and to the board of supervisors of each county and the city council of each city in the state.

RESOLUTION CHAPTER 37

Senate Concurrent Resolution No. 26—Relative to honoring and commending Lucille Ball.

[Filed with Secretary of State May 31, 1983.]

WHEREAS, The distinguished entertainment career of Lucille Ball has brought happiness to countless millions of her fans throughout the world, and her personal generosity has brought happiness to many others; recognizing her achievements, the March of Dimes has chosen Lucille Ball as the recipient of its prestigious Jack Benny Memorial Award, and it is therefore appropriate for the Legislature of the State of California to honor and commend Lucille Ball; and

WHEREAS, The story of Lucille Ball's rise to stardom is an inspiring example to all who aspire to excellence; she struggled in a variety of jobs as she attempted the difficult task of breaking into show business; and

WHEREAS, She worked as a model and in chorus jobs in various Broadway musical productions before her perseverance paid off with a six-month contract at Goldwyn Studios; as her career in motion pictures took off, she subsequently was on contract to Columbia and RKO Studios; and

WHEREAS, Television was the medium which brought the talents of Lucille Ball to the greatest renown, elevating her to the status of a genuine superstar; over the past three decades, television viewers in America and throughout the world have been enchanted by the craft of this peerless comic actress; and

WHEREAS, I Love Lucy, in which she played the title role, is one of the timeless glories of television history; fans of the series never tire of watching the shows, and I Love Lucy therefore, enjoys undiminished popularity; and

WHEREAS, Lucille Ball, in her more recent TV series, TV specials, and motion pictures, has continued to delight her audiences, maintaining the love of her fans and the deep respect of her colleagues; and

WHEREAS, Lucille Ball's commitment to public service is illustrated by her dedicated efforts on behalf of charitable causes; the numerous organizations and institutions which she has helped include the YWCA, the Special Olympics, the Motion Picture Retirement Home, and Children's Hospital of Los Angeles, among many others; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Legislature of the State of California take great pleasure in honoring and commending Lucille Ball, America's Favorite Redhead, upon the occasion of her receipt of the Jack Benny Memorial Award, presented to her by the March of Dimes in recognition of her outstanding accomplishments as an entertainer, as well as for her many charitable contributions to her community; and be it further

Resolved, That the Secretary of the Senate transmit a suitably prepared copy of this resolution to Lucille Ball.

RESOLUTION CHAPTER 38

Assembly Joint Resolution No. 28—Relative to law enforcement assistance.

[Filed with Secretary of State May 31, 1983]

WHEREAS, Senator Arlen Specter has introduced in the Congress of the United States S. 53, the Justice Assistance Act of 1983, which is legislation of vital importance to the safety and well-being of the people of California and throughout the United States; and

WHEREAS, This comprehensive federal legislation encompasses local assistance programs in such essential areas as crime prevention, criminal law enforcement, victim services, offender rehabilitation, drug treatment, and justice personnel training, management, and technical assistance; and

WHEREAS, In the amendments made by S. 53 to Section 403(a) of the Omnibus Crime Control and Safe Streets Act of 1968, the Director of the Office of Justice Assistance is authorized to make grants to the states for these purposes; and

WHEREAS, It is particularly significant that one of the major components of the Justice Assistance Act of 1983 is to amend the Omnibus Crime Control and Safe Streets Act of 1968 (Section 403(a) (6)) to "provide community and neighborhood programs that enable citizens and police to undertake initiatives to prevent and control neighborhood crime"; and

WHEREAS, The legislation also establishes a Justice Assistance Board, which includes representatives of neighborhood and community-based groups, and representatives of local and state governments; and

WHEREAS, The Legislature finds and declares that this "neighborhood watch" component of the Justice Assistance Act of 1983 should be a top priority in the ongoing efforts of our society to institute effective crime prevention; and

WHEREAS, The Legislature further finds and declares that the concept of community crime prevention has become increasingly more recognized by citizens, law enforcement agencies, and local government as an integral element of crime control programs, and that crime prevention programs involving citizens as volunteers have enhanced law enforcement efforts to reduce crime; and

WHEREAS, If the Justice Assistance Act of 1983 is enacted, the State of California could obtain as much as ten million dollars for "neighborhood watch" crime prevention programs, an amount almost ten times more than the present available funding; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to enact those portions of the Justice Assistance Act of 1983 which assure

that priority is given under the act to "neighborhood watch" crime prevention programs; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 39

Assembly Joint Resolution No. 5—Relative to child nutrition.

[Filed with Secretary of State May 31, 1983.]

WHEREAS, Through Section 2 of PL 95-627, the Child Care Food Program became a permanent program which provides funds for children in any public or private nonprofit organization where children are not maintained in permanent residence, including, but not limited to, day care centers, settlement houses, recreational centers, family day care homes, Head Start centers, and institutions providing day care services for handicapped children; and

WHEREAS, Under PL 95-627 the Child Care Food Program (CCFP) provided funding for five meal types per child per day: breakfast, morning supplement, lunch, afternoon supplement, supper; and

WHEREAS, 8,873,000 children in the United States and 912,000 children in California have been eligible for this program; and

WHEREAS, Approximately 74% of the program's funds went to sponsored child care centers, and nearly 75% of the children enrolled in these types of institutions qualified for free meals; and

WHEREAS, PL 97-35, the federal Omnibus Budget Reconciliation Act of 1981 reduced the CCFP budget by 34% which equals $130 million and made substantive changes in the administration and operation of the program; and

WHEREAS, Under PL 97-35 funding is reduced to the extent that either two meals and one supplement or one meal and two supplements can be provided to each child per day; and

WHEREAS, Nutritional habits developed in childhood can affect health throughout life and children's diets are likely to be critical in influencing their future health status; and

WHEREAS, Research on nutrition states that infants and small children need small frequent feedings throughout the day for optimal development; and

WHEREAS, Improved health status in early years has been found to be an important determinant of measured intelligence, years of formal schooling completed, and market wage rate and hours of work; and

WHEREAS, Studies have demonstrated that the nutritional intake of children who participate in the CCFP is greater than that of poor children who do not participate, particularly needy children; and

WHEREAS, The change in meal patterns from five meals to three meals poses a threat to the nutritional health of children in the CCFP; and

WHEREAS, This new meal pattern provides two full meals per child per day to children in four-hour programs; and

WHEREAS, It places at nutritional risk those infants, toddlers and children in 12-hour programs by providing only two full meals and one supplement; and

WHEREAS, A young child in a 12-hour day care program would receive breakfast at 7:30 A.M., lunch at 10:30 A.M., and a small amount of food—the supplement—at 1:30 P.M. and this schedule would cause children to go hungry for as long as four and a half hours until the child is picked up by the parents and taken home for the next meal; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature memorializes the President and Congress of the United States to enact legislation which would restore funding for the meal pattern of five meals: breakfast, A.M. supplement, lunch, P.M. supplement, and supper to the Child Care Food Program; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 40

Assembly Concurrent Resolution No. 2—Relative to the California Law Revision Commission.

[Filed with Secretary of State June 8, 1983]

WHEREAS, The California Law Revision Commission is authorized to study only topics set forth in the calendar contained in its report to the Legislature which are thereafter approved for study by concurrent resolution of the Legislature, and topics which have been referred to the commission for study by concurrent resolution of the Legislature; and

WHEREAS, The commission, in its annual report covering its activities for 1982, lists 31 topics, all of which the Legislature has previously authorized or directed the commission to study, as studies in progress; and

WHEREAS, The commission is now authorized to study the topic

of community property and has recommended that this topic be expanded to cover other aspects of family law; and

WHEREAS, The commission is now authorized to study numerous aspects of real and personal property law, and it is desirable that these topics be expanded to cover other aspects of real and personal property law; and

WHEREAS, The topics now authorized for study and the two expanded topics referred to above are in need of study; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature approves for study by the California Law Revision Commission the topics listed below:

TOPICS UNDER ACTIVE CONSIDERATION

(1) Whether the law relating to creditors' remedies (including, but not limited to, attachment, garnishment, execution, repossession of property (including the claim and delivery statute, self-help repossession of property, and the Commercial Code repossession of property provisions), civil arrest, confession of judgment procedures, default judgment procedures, enforcement of judgments, the right of redemption, procedures under private power of sale in a trust deed or mortgage, possessory and nonpossessory liens, and related matters) should be revised;

(2) Whether the California Probate Code should be revised, including but not limited to whether California should adopt, in whole or in part, the Uniform Probate Code;

(3) Whether the law relating to real and personal property (including, but not limited to, a Marketable Title Act, covenants, servitudes, conditions, and restrictions on land use or relating to land, possibilities of reverter, powers of termination, Section 1464 of the Civil Code, escheat of property and the disposition of unclaimed or abandoned property, eminent domain, quiet title actions, abandonment or vacation of public streets and highways, partition, rights and duties attendant upon termination or abandonment of a lease, powers of appointment, and related matters) should be revised;

(4) Whether the law relating to family law (including, but not limited to, community property) should be revised;

(5) Whether the law relating to involuntary dismissal for lack of prosecution should be revised;

(6) Whether the law relating to statutes of limitations applicable to felonies should be revised;

(7) Whether the law relating to custody of children, adoption, guardianship, freedom from parental custody and control, and related matters should be revised;

(8) Whether the law relating to the rights and disabilities of minors and incompetent persons should be revised;

OTHER TOPICS AUTHORIZED FOR STUDY

(1) Whether the law relating to the award of prejudgment interest in civil actions and related matters should be revised;

(2) Whether the law relating to class actions should be revised;

(3) Whether the law relating to offers of compromise should be revised;

(4) Whether the law relating to discovery in civil cases should be revised;

(5) Whether a summary procedure should be provided by which property owners can remove doubtful or invalid liens from their property, including a provision for payment of attorneys fees to the prevailing party;

(6) Whether acts governing special assessments for public improvements should be simplified and unified;

TOPICS CONTINUED ON CALENDAR FOR FURTHER STUDY

(1) Whether the Evidence Code should be revised;

(2) Whether the law relating to arbitration should be revised;

(3) Whether the law relating to modification of contracts should be revised;

(4) Whether the law relating to sovereign or governmental immunity in California should be revised;

(5) Whether the decisional, statutory, and constitutional rules governing the liability of public entities for inverse condemnation should be revised (including, but not limited to, liability for damages resulting from flood control projects) and whether the law relating to the liability of private persons under similar circumstances should be revised;

(6) Whether the law relating to liquidated damages in contracts generally, and particularly in leases, should be revised;

(7) Whether the parol evidence rule should be revised;

(8) Whether the law relating to pleadings in civil actions and proceedings should be revised; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the California Law Revision Commission.

RESOLUTION CHAPTER 41

Assembly Concurrent Resolution No. 80—Relative to commending David S. Saxon.

[Filed with Secretary of State June 8, 1983.]

WHEREAS, The Senate and Assembly of the State of California wish to commend David S. Saxon for his eight years of devoted service as the 14th President of the University of California, for his able leadership of this preeminent institution, and for his unwavering commitment to educational quality and public service throughout his past 36 years as scholar, teacher, and administrator; and

WHEREAS, Dr. Saxon will retire on July 1, 1983, to assume duties as Chairman of the Corporation of the Massachusetts Institute of Technology; and

WHEREAS, Dr. Saxon has led the university, an institution comprised of nine campuses and more than 139,000 students, through a period of unprecedented retrenchment and reassessment as the result of fiscal stringencies confronting the state, throughout which he strove to guide and sustain the university by utilizing ever-scarcer resources carefully and wisely, and by staunchly defending its vital programs, ensuring that its luster as an outstanding institution of higher education would not be dulled; and

WHEREAS, During his tenure the university has attained further academic excellence and national recognition; and

WHEREAS, During David Saxon's presidency, the university's scholarly capabilities were enhanced by the development of new endeavors of national and international importance; and

WHEREAS, In his public statements, he has shown an enlightened concern for: developing a national science policy; sustaining scientific inquiry and the education of young scientists; drawing together sciences and the liberal arts; emphasizing a balanced partnership with business and industry; preparing ourselves for a future dependent on technology; encouraging the tightening of admissions standards, particularly in English and mathematics; and contributing to the search for peace; and

WHEREAS, Dr. Saxon's professional and intellectual stature is widely recognized at the national level; he is a member of prestigious national scholarly associations and of national committees, and is the author of landmark textbooks in physics which have been used in classrooms across the nation; and

WHEREAS, His reputation is international as the result of his scholarly studies abroad as a Guggenheim Fellow, the honorary doctorates accorded him by a number of foreign institutions, his appointment as a Visiting Research Fellow at Merton College, Oxford, and his strong and unwavering support of the university's highly acclaimed Education Abroad Program; and

WHEREAS, During the past 36 years, he has given highly exemplary service to the university, beginning as a faculty member at UCLA, where he earned a Distinguished Teaching Award, and continuing through his years as a Dean, Vice Chancellor, Executive Vice Chancellor, University Provost, and President; and

WHEREAS, David S. Saxon is widely noted as a man of principle who is highly regarded for his integrity, staunch character, strong

convictions, and unwavering devotion to the university, for his commitment to its vital and unique role in serving California, for his understanding of the varied and complex problems facing postsecondary education, for his clear and effective manner in speaking out on the controversial issues facing society at large, and for his eloquent articulation of the missions and purposes of the university before the people of California and their elected representatives; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That commendations and high praise be expressed to David S. Saxon for his unwavering loyalty to the institution and his clear vision of what the university means to California; and be it further

Resolved, That the Legislature of the State of California recognize that the university and the state and its citizens have been well served by David Saxon's presidency and by his other outstanding contributions over the past 36 years, and in commending Dr. Saxon, the Legislature extends sincere and deep appreciation for his demonstrated commitment to high-quality education and for his commendable work in helping to sustain the university as a vital state and national resource of the highest order; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to David S. Saxon.

RESOLUTION CHAPTER 42

Assembly Joint Resolution No. 53—Relative to Baltic Freedom Day.

[Filed with Secretary of State June 8, 1983]

WHEREAS, The people of the Baltic Republics of Estonia, Latvia, and Lithuania have cherished the principles of religious and political freedom and independence; and

WHEREAS, The Baltic Republics have existed as independent, sovereign nations belonging to, and fully recognized by, the League of Nations; and

WHEREAS, The people of the Baltic Republics have individual and separate cultures, national traditions, and languages, all of which are distinctively foreign to those of Russia; and

WHEREAS, In 1940, the Union of Soviet Socialist Republics (U.S.S.R.) did illegally seize and occupy the Baltic Republics and, by force, incorporate them into the U.S.S.R., against their national will and contrary to their desire for independence and sovereignty; and

WHEREAS, Since 1940, the U.S.S.R. has systematically removed native Baltic peoples from their homelands by deporting them to Siberia, and has caused great masses of Russians to relocate in the

Republics, thus threatening the Baltic cultures with extinction; and

WHEREAS, The U.S.S.R. has imposed upon the captive people of the Baltic Republics an oppressive political system which has destroyed all vestiges of democracy, civil liberties, and religious freedom; and

WHEREAS, The people of Estonia, Latvia, and Lithuania find themselves today subjugated by the U.S.S.R., locked into a union they deplore, denied basic human rights, and persecuted for daring to protest; and

WHEREAS, The United States stands as a champion of liberty, dedicated to the principles of national self-determination, human rights, and religious freedom, and opposed to oppression and imperialism; and

WHEREAS, The United States, as a member of the United Nations, has repeatedly voted with a majority of the members of that international body to uphold the right of other countries of the world to determine their fates and to be free of foreign domination; and

WHEREAS, The U.S.S.R. has steadfastly refused to return to the people of Estonia, Latvia, and Lithuania the right to exist as independent republics separate and apart from the U.S.S.R. or permit a return of personal, political, and religious freedoms; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California recognizes the continuing desire of the peoples of Estonia, Latvia, and Lithuania for freedom and independence from the domination of the U.S.S.R., and the right of the Baltic peoples to this freedom; and be it further

Resolved, That the Legislature of the State of California deplores the refusal of the U.S.S.R. to recognize the sovereignty of the Baltic Republics and to yield to their rightful demands for independence from foreign domination and oppression; and be it further

Resolved, That the Legislature of the State of California declares as "Baltic Freedom Day" the 14th day of June 1983, the anniversary of the mass deportation of Baltic peoples from their homelands in 1941, as a symbol of the solidarity of the American people with the aspirations of the enslaved Baltic peoples; and be it further

Resolved, That the Legislature of the State of California urges the Governor to issue a proclamation for the annual observance of Baltic Freedom Day with appropriate ceremonies and activities; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the President of the United States to request the United Nations to investigate the U.S.S.R.'s illegal and forceful occupation of Estonia, Latvia, and Lithuania and its continuous violations of the human rights of the Baltic peoples; and be it further

Resolved, That suitably prepared copies of this resolution be transmitted to the Governor, the President and Vice President of the United States, to the Speaker of the House of Representatives, to

each Senator and Representative from California in the Congress of the United States, and to the United States Ambassador to the United Nations.

RESOLUTION CHAPTER 43

Assembly Concurrent Resolution No. 84—Relative to Joint Rule 29.6.

[Filed with Secretary of State June 9, 1983.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That Rule 29.6 is added to the Temporary Joint Rules of the Senate and Assembly for the 1983–84 Regular Session, to read as follows:

Conference Committee on 1983–84 Budget Bill

29.6. Notwithstanding any other rule, a committee on conference on a bill which if enacted would become the Budget Act of 1983 shall only consider differences between the Assembly version of the Budget Bill as amended in Assembly June 1, 1983, and the Senate version of the Budget Bill as amended in Senate June 6, 1983, and shall not approve any item of expenditure nor control which exceeds that contained in one of the two versions.

This rule shall be effective only until September 1, 1983, and on that date is repealed.

RESOLUTION CHAPTER 44

Assembly Joint Resolution No. 43—Relative to special education.

[Filed with Secretary of State June 10, 1983.]

WHEREAS, The Congress of the United States has found that:

(1) There are more than eight million handicapped children in the United States today.

(2) The special educational needs of those children are not being fully met.

(3) More than half of the handicapped children in the United States do not receive appropriate educational services which would enable them to have full equality of opportunity.

(4) Developments in teacher training and diagnostic and instructional procedures and methods have sufficiently advanced that, given appropriate funding, state and local educational agencies can and will provide effective special education and related services

to meet the needs of handicapped children.

(5) It is in the national interest that the federal government assist state and local efforts to provide programs to meet the educational needs of handicapped children in order to assure equal protection of the law; and

WHEREAS, To give effect to the goal of assuring handicapped children equal protection of the law, Congress established maximum state entitlements per handicapped child equal to the following percentages of the national average per pupil expenditure in public elementary and secondary schools:

(1) 5 percent for the 1977–78 fiscal year.

(2) 10 percent for the 1978–79 fiscal year.

(3) 20 percent for the 1979–80 fiscal year.

(4) 30 percent for the 1980–81 fiscal year.

(5) 40 percent for the 1981–82 fiscal year.

(6) 40 percent for the 1982–83 fiscal year; and

WHEREAS, Since 1979, Congress has not given states the full amount of financial assistance necessary to achieve its goal of assuring handicapped pupils equal protection of the law, giving instead the following percentages of the national average per pupil expenditure in public elementary and secondary schools:

(1) 14.2 percent for the 1979–80 fiscal year.

(2) 17.2 percent for the 1980–81 fiscal year.

(3) 16 percent for the 1981–82 fiscal year.

(4) 16.4 percent for the 1982–83 fiscal year; and

WHEREAS, As a result, in the 1982–83 fiscal year, California has received only eighty-one million nine hundred thousand dollars ($81,900,000) of the maximum potential allocation of one hundred ninety-nine million six hundred thousand dollars ($199,600,000) originally designated by Congress, for a shortfall equal to one hundred seventeen million seven hundred thousand dollars ($117,700,000); and

WHEREAS, There would be no state deficit in special education funding today if the federal government had funded Public Law 94-142 as authorized by the 1975 law; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to provide full funding to assure that all handicapped children have available to them a free, appropriate public education emphasizing special education and related services designed to meet their unique needs, to assure that the rights of handicapped children and their parents or guardians are protected, to assist states and localities to provide for the education of all handicapped children, and to assess and assure the effectiveness of efforts to educate handicapped children; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each

Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 45

Assembly Joint Resolution No. 46—Relative to Qantas Airways, Limited.

[Filed with Secretary of State June 10, 1983.]

WHEREAS, The International Association of Machinists and Aerospace Workers is a bona fide labor organization in the State of California; and

WHEREAS, This union represents citizens of California for collective-bargaining purposes who were employed by Qantas Airways, Limited; and

WHEREAS, Qantas is the international airline of Australia and the employer of these citizens; and

WHEREAS, The parties entered into lawful collective-bargaining negotiations in February of 1982 under the Railway Labor Act; and

WHEREAS, The Union made every attempt to bargain in good faith on behalf of these employees; and

WHEREAS, These negotiations were unsuccessful even with the aid of the National Mediation Board, an agency of the United States government; and

WHEREAS, The employer, Qantas, maintained a nonnegotiable position regarding the employment of these persons; and

WHEREAS, On or about February 6, 1983, Qantas discharged these employees without good or sufficient reason; and

WHEREAS, These long serving and faithful employees were forced to seek unemployment and social welfare benefits instead of gainful employment; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to urge Qantas Airways, Limited, to reconsider its action in discharging its California employees during collective-bargaining negotiations and to enter immediately into meaningful negotiations that will restore the discharged employees to their former positions; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, the Prime Minister of Australia, to the Chairman of the Board of Qantas Airways, Limited, and to the President of the International Association of Machinists and Aerospace Workers, with

the earnest desire that they respond favorably with immediate and appropriate action to meet this grave matter concerning the citizens of this state.

RESOLUTION CHAPTER 46

Senate Concurrent Resolution No. 20—Relative to the Joint Legislative Budget Committee.

[Filed with Secretary of State June 10, 1983.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That in addition to any money heretofore made available to it, the sum of four million six hundred thousand dollars ($4,600,000), or so much thereof as may be necessary, is hereby allocated from the Contingent Funds of the Assembly and Senate for the payment of any and all expenses incurred by the Joint Legislative Budget Committee or its members pursuant to and under the authority of law or the provisions of Joint Rule 37.

RESOLUTION CHAPTER 47

Senate Concurrent Resolution No. 25—Relative to Bobby Chacon and the World Boxing Council.

[Filed with Secretary of State June 10, 1983]

WHEREAS, Bobby Chacon is a California resident; and

WHEREAS, Bobby Chacon is a professional licensed boxer with the California State Athletic Commission; and

WHEREAS, The California State Athletic Commission is a member of the World Boxing Council; and

WHEREAS, Bobby Chacon is the current World Boxing Council's Super Featherweight Champion; and

WHEREAS, Bobby Chacon's contract with promotor Don King is the subject of a legal dispute at this time; and

WHEREAS, Bobby Chacon successfully defended his title against the World Boxing Council's number one contender, Cornelius Boza-Edwards; and

WHEREAS, Bobby Chacon's title defense was in compliance with the World Boxing Council's rules and regulations and those of the Nevada State Athletic Commission; and

WHEREAS, California State Athletic Commission member James Fryne supports Bobby Chacon's title status; and

WHEREAS, The California Legislature supports fairness in the sport of professional boxing; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That Bobby Chacon continue to be recognized by the World Boxing Council as the Super Featherweight Champion; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the World Boxing Council.

RESOLUTION CHAPTER 48

Assembly Concurrent Resolution No. 18—Relative to intrastate bus service.

[Filed with Secretary of State June 16, 1983.]

WHEREAS, Greyhound Bus Lines, the largest operator of common carrier buses in this state, has announced its intention to discontinue service to many of California's smaller and more isolated communities; and

WHEREAS, For many persons in these remote areas who are unable or cannot afford to drive automobiles, the Greyhound bus has been their only means of access to outside areas; and

WHEREAS, In previous applications to the Public Utilities Commission for authorization to abandon or reschedule service, 82 small cities and rural communities along California's major north-south highways would have been without service if the company's requests had been approved; and

WHEREAS, These proposed schedule changes will, if implemented, present a grim and intolerable situation for people in small communities and rural and isolated areas who would suffer massive losses of service throughout California if these cutbacks are approved; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California requests the Public Utilities Commission, and respectfully memorializes the Interstate Commerce Commission, to disapprove any application by Greyhound Bus Lines to discontinue or reduce, or both, service to small, rural, and isolated communities within California; and be it further

Resolved, That the Public Utilities Commission utilize the full 120-day review period, and that the Interstate Commerce Commission is respectfully memorialized to defer any subsequent decision for the full applicable review period, as specified in Sections 16 and 17 of the federal Bus Regulatory Reform Act of 1982 (P.L. 97-261) to thoroughly review the Greyhound Bus Lines applications and thus allow pending bills and resolutions regarding intercity bus transportation to be considered by the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of

this resolution to the Public Utilities Commission, to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairman and members of the Interstate Commerce Commission, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 49

Assembly Concurrent Resolution No. 69—Relative to the tallship *Californian.*

[Filed with Secretary of State June 16, 1983.]

WHEREAS, The preservation of America's precious maritime heritage is the primary goal of the Nautical Heritage Museum, and the museum is to be commended for its plans for construction of the *Californian,* a full-scale recreation of the 1849 vintage Revenue Cutter *Lawrence*; and

WHEREAS, The *Californian* will serve as an educational tool for people of all ages during its construction, which will commence in April 1983, and when it puts to sea in the Spring of 1984, in the distinguished tradition of California tallships; and

WHEREAS, Nowhere in the world today does there exist a replica of these early cutters that once protected America's coastlines and, to assure both her historical accuracy and seaworthiness, the United States Coast Guard has heartily agreed to actively participate in the design and construction of the *Californian*; and

WHEREAS, Under the guidance of Museum Director Steve Christman and internationally renowned naval architect Melbourne Smith, builder of the *Pride of Baltimore*, the building of the *Californian* will restore to our shores the grace, beauty, and indomitable spirit of the single coast guard cutter that maintained law and order during the frenzy of the Gold Rush; and

WHEREAS, The *Californian* will serve as a unique sail training vessel for the youth of Orange County and the entire State of California, and will provide instruction in the near-forgotten arts of sailing tallships; and

WHEREAS, Not only will the *Californian* exemplify the highest level of speed and elegance achieved during the Great Age of Sailing, but she will also proudly represent the State of California during the 1984 Olympics and OPSAIL '86, celebrating the centennial of the Statue of Liberty in New York Harbor; and

WHEREAS, Funding for the *Californian* project is totally private, with foundations, institutions, corporations, and individuals donating their time, resources, and moneys to make this exciting dream a reality; and

WHEREAS, The vessel will have keel and frames of tropical

hardwoods, planking of longleaf yellow pine, decking and spars of Douglas fir, fife rails and bitts of rosewood, and cabinetry of Spanish cedar and Honduras mahogany; and

WHEREAS, The *Californian* will carry a carved figurehead of Queen Calafia, namesake of California, and the ship's transom will be ornamented by two California golden grizzly bears on either side of a flowing ribbon in which her name is carved; and

WHEREAS, In addition to her own pendant, she will fly the authentic Revenue Service flag on special occasions; the officers and crew will be dressed in period costumes, and guests will be greeted with bosun's pipe and side boys; and the *Californian* will be armed with eight working smoothbore cannons on wooden carriages; and

WHEREAS, It is appropriate at this time that the *Californian* be designated as our state's official tallship ambassador; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature extend their commendations to the Nautical Heritage Museum at Dana Point and the U.S. Coast Guard for their outstanding contributions and leadership in the construction of the *Californian,* which will preserve and enhance the nautical tradition that graced our nation's shore in the past; and be it further

Resolved, That the Members eagerly await the maiden voyage of the *Californian* in the Spring of 1984, applaud the contributions that the *Californian* will make to the education of California's youth and the goodwill it will generate for all Californians, and hereby designate the *Californian* our state's official tallship ambassador; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Nautical Heritage Museum at Dana Point.

RESOLUTION CHAPTER 50

Assembly Concurrent Resolution No. 66—Relative to housing.

[Filed with Secretary of State June 23, 1983]

WHEREAS, The Legislature finds and declares that there exists a severe shortage of decent and attainable housing within the state for persons of all income levels; and

WHEREAS, The Legislature further declares that it is necessary to encourage government at all levels to deal with this problem by developing and implementing public policies which reflect a higher commitment for housing than currently exists, because housing is a basic human requirement and that an ample supply of attainable housing is necessary for a continuous strong economy, and finding such shelter in healthy and well-served communities is a top priority

goal of California's population; and

WHEREAS, California's housing demands, and unmet housing needs for new construction and replacement units through the next decade are well documented by the data published by the Department of Housing and Community Development; and

WHEREAS, The health and vitality of California's housing industry is a valuable force and unique economic and social enterprise and its stability and prosperity are of major concern and enduring importance to the state's economy as a whole and to the health, safety, and public welfare of all the people of this state; and

WHEREAS, The Legislature further declares that the dream of home ownership in California is being threatened by governmental restrictions on housing production, skyrocketing prices, land use fees, high interest rates, and diverse and erratic supplies of private and public funds to finance housing, all of which reduce the supply and impede the competitive market system; and

WHEREAS, Solutions to the critical housing problem should be the concern of everyone in both the public and private sector, and the Legislature is aware of the various recommendations recently made by such recognized citizen groups as the Governor's Task Force on Affordable Housing, the California Roundtable Housing Task Force, and the Chamber of Commerce Emergency Conference on Housing; and

WHEREAS, The 1982–83 Legislature reaffirmed its commitment to reinvigorate California's social and economic fabric by enacting a major comprehensive and balanced housing package in response to the urgent need to stimulate economic development and to help improve the state's employment and business climate so essential to the prosperity of California; and

WHEREAS, The Legislature further finds and declares that the continued lack of available and affordable housing has serious secondary negative effects on employment and the expansion of California's economic base, as it discourages foreign and domestic firms from relocating their facilities in California; and

WHEREAS, The Legislature recognizes that housing growth, economic development, and environmental protection are statewide public needs which are not mutually exclusive and which are each vital to the balanced growth and diverse development of California; and

WHEREAS, To achieve a maximum responsiveness to local conditions, accountability, and public assessability, the Legislature recognizes that it is necessary to rely heavily on local governments and local land use planning procedures and enforcement; and

WHEREAS, The Legislature is charged with the critical and primary role of articulating the leadership responsibility of the state government dealing with adequate housing for all the citizens of California, and it wants to be absolutely certain that the socioeconomic impact of existing and new laws, regulations, standards, and policies which affect both housing costs and the

supply of housing, do not cause unnecessary burdens on individuals or the economy as a whole; and

WHEREAS, The importance of public policy decision's on housing cannot be overemphasized and the Legislature recognizes that the projected demand for housing in the next decade is substantial and that the record of the previous legislative action attests to a clear indication that the Legislature intends to continue its efforts to ensure "a decent home and suitable living environment" for all Californians; and

WHEREAS, The Legislature recognizes that the continued growth and vitality of the housing industry is of paramount concern to present and future residents of this state and that the public has a right to fully participate in the review and evaluation of public policy decisions which affect housing development because the viability of this important industry is dependent upon public understanding and support; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Assembly Housing and Community Development Committee and the Senate Housing and Urban Affairs Committee hold an oversight hearing during the 1983–84 Regular Session of the Legislature on the subject matter covering all the fundamental factors underlying the shortage of attainable housing; and be it further

Resolved, That the respective committees report their findings, conclusions, and recommendations for action to the Assembly and to the Senate by March 1, 1984.

RESOLUTION CHAPTER 51

Assembly Concurrent Resolution No. 78—Relative to Small Business Persons of the Year Award.

[Filed with Secretary of State June 23, 1983]

WHEREAS, Twenty years ago, Louis Ruiz began a small family business in Tulare producing prepared Mexican foods; and

WHEREAS, Through hard work and an insistence upon producing quality products the family business rapidly expanded; and

WHEREAS, Louis Ruiz and his son, Frederick Ruiz, have succeeded in turning Ruiz Frozen Products, Inc. into a multi-million dollar business which has consistently prospered over the years; and

WHEREAS, The Tulare father and son team have been named the National Small Business Persons of the Year by the Small Business Association; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby congratulates Louis Ruiz and Frederick Ruiz on their success and their selection as Small

Business Persons of the Year; and be it further

Resolved, That the Legislature respectfully requests the Governor of the State of California to extend his congratulations to Louis and Frederick Ruiz for their accomplishments and their small business award; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Louis and Frederick Ruiz.

RESOLUTION CHAPTER 52

Assembly Concurrent Resolution No. 85—Relative to corrections.

[Filed with Secretary of State June 23, 1983]

WHEREAS, On June 2, 1983, Kevin Cooper, an inmate, allegedly escaped from minimum security facilities at the California Institution for Men at Chino, where he was serving a prison term for burglary; and

WHEREAS, The suspect, Kevin Cooper, reportedly has a history of mental illness and violence, having escaped from a mental institution in the state of Pennsylvania prior to his conviction in California; and

WHEREAS, Kevin Cooper was sentenced to state prison from Los Angeles County Superior Court as a first-term convict, with his probation report reflecting no prior criminal history upon commitment to state prison; and

WHEREAS, He was subsequently housed in a minimum security setting, thereby indirectly facilitating his alleged escape; and

WHEREAS, There are serious questions as to the nature of information available to the Department of Corrections for purposes of security classification of Kevin Cooper prior to his escape; and

WHEREAS, Fingerprints from Kevin Cooper were taken by the Department of Corrections and forwarded to the State Department of Justice, and those fingerprints may have enabled his identification as an escaped mental patient from another state resulting in classification as a higher security inmate; now, therefore, be it

Resolved by the Assembly of the State of California, and the Senate thereof concurring, That the Department of Corrections and the Office of the Attorney General are requested to report to the Legislature within 30 days as to the following:

(A) The security and classsification information available to the Department of Corrections relative to Kevin Cooper, prior to his alleged escape;

(B) The reasons why his history, including fingerprint information, as an escaped mental patient was either unavailable or not utilized in classifying this inmate for purposes of secure housing;

(C) Steps taken or recommendations made to prevent the

endangerment to California citizens in this manner in the future; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Corrections and the Office of the Attorney General.

RESOLUTION CHAPTER 53

Assembly Joint Resolution No. 55—Relative to equal educational opportunity on the basis of sex.

[Filed with Secretary of State June 23, 1983.]

WHEREAS, Title IX of the Federal Education Amendments of 1972 is the broadest prohibition against sex discrimination in any educational program or activity receiving federal financial assistance currently in effect; and

WHEREAS, Title IX has resulted in greater equality of educational opportunity for female and male students in terms of admissions, access to courses in academic and vocational training, athletics and other extracurricular activities, and counseling and other services; and

WHEREAS, Title IX has created a more equal distribution of women and men employed by educational institutions; and

WHEREAS, The State of California has demonstrated a longstanding history of, and commitment to, equal opportunity in education on the basis of sex through the enactment of Chapter 2 (commencing with Section 200) of Part 1 of Division 1 of Title 1 of the Education Code, which parallels and reinforces Title IX in the State of California; and

WHEREAS, The United States Department of Education has threatened to reduce the scope of Title IX and the requirements imposed by the guidelines for compliance with its provisions, limiting the protection afforded by Title IX and regulations promulgated pursuant to that law; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes each Senator and Representative from California in the Congress of the United States to preserve the scope and strength of Title IX and to work for the defeat of any legislation which would weaken or dismantle Title IX; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States; and be it further

Resolved, That the Assembly and the Senate of the State of

California jointly proclaim June 23, 1983, Title IX Day.

RESOLUTION CHAPTER 54

Senate Concurrent Resolution No. 6—Relating to disabled persons.

[Filed with Secretary of State June 24, 1983]

WHEREAS, The State of California has shown itself a leader in breaking down barriers to the mainstream of American society for its citizens with disabilities; and

WHEREAS, This state has approximately 1,500,000 residents with disabling conditions; and

WHEREAS, Public awareness of the abilities of persons with impairing conditions has been increased by the California Year of the Disabled in 1982 and the United Nations' International Year of the Disabled Person in 1981; and

WHEREAS, The education of the public concerning the need of persons with disabilities to work and be a productive part of society must be continued; and

WHEREAS, The United Nations has declared 1983 to 1992 as the Decade of the Disabled Person; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby declares 1983 to be the California Year of the Disabled, and that it is of the utmost importance to continue to increase the awareness of the public that persons with disabilities are, and can be, productive and effective members of this society.

RESOLUTION CHAPTER 55

Senate Concurrent Resolution No. 4—Relative to the procurement of equipment, materials, and supplies by school districts.

[Filed with Secretary of State June 24, 1983]

WHEREAS, Section 14814 of the Government Code enables the State Department of General Services to purchase equipment, materials, and supplies on behalf of local governmental agencies; and

WHEREAS, The Department of General Services is able to save a substantial amount on the purchase of equipment, materials, and supplies through bulk purchasing, and

WHEREAS, The purchase of school buses by the State Department of General Services in 1981 afforded participating school districts a 15 percent savings in the purchase price; and

WHEREAS, Many school districts throughout the state have not

taken advantage of the purchasing activities of the State Department of General Services; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the governing board of each school district is requested to use the services of the Department of General Services in procuring equipment, materials, and supplies when the services afford the district savings; and be it further

Resolved, That the State Department of Education is requested to work with and assist districts in utilizing those services; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Superintendent of Public Instruction and the governing board of each school district of California.

RESOLUTION CHAPTER 56

Senate Joint Resolution No. 8—Relative to the taxation of tips.

[Filed with Secretary of State June 30, 1983]

WHEREAS, Nearly a quarter of a million Californians are employed as waitresses and waiters in this state; and

WHEREAS, The average annual earnings of these workers are less than $6,000 per year; and

WHEREAS, The majority of these workers are struggling to support families and children; and

WHEREAS, Many of these workers are women and ethnic minorities; and

WHEREAS, Most of these workers do not actually receive an amount in gratuities equal to 8 percent of the establishments' income; and

WHEREAS, The net earnings of the average waitress or waiter have been reduced by an amount equivalent to one out of four monthly paychecks, in order to pay the additional federal income tax, required by the Tax Equity and Fiscal Responsibility Act of 1982; and

WHEREAS, The Legislature finds and declares that the current federal law, which assumes waiters and waitresses earn an amount equivalent to 8 percent of their employers' earnings, is not an accurate assumption or an equitable tax principle; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the President and Congress of the United States are respectfully memorialized to modify the Tax Equity and Fiscal Responsibility Act of 1982 to restore an accurate and fair basis for assessing federal income tax obligations for waiters and waitresses; and be it further

Resolved, That the Secretary of the Senate transmit copies of this

resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 57

Assembly Concurrent Resolution No. 24—Relative to the Congressman Don Clausen Overpass.

[Filed with Secretary of State July 1, 1983.]

WHEREAS, Congressman Don Clausen entered the United States House of Representatives in January of 1963 as the Representative of the Second Congressional District and most recently represented the First Congressional District consisting of the Counties of Del Norte, Glenn, Humboldt, Mendocino, Trinity, and Sonoma; and

WHEREAS, Congressman Clausen distinguished himself as the ranking minority member of the House Public Works and Transportation Committee, which has jurisdiction over the Clean Water Program, the Federal Highway Program, river and harbor navigation projects, flood control and water conservation, airport-airways systems, disaster relief, mass transit, and economic development; and

WHEREAS, Congressman Clausen served with distinction as the second ranking minority member of the House Interior and Insular Affairs Committee, which has jurisdiction over matters dealing with energy and the environment, water and power resources, national parks and recreation, public lands and trust territories, Indian affairs, and special investigations; and

WHEREAS, Congressman Clausen has had a lifetime interest in the balanced protection of land and water resources, was the first member of Congress to advocate the establishment of a 200-mile fishery management zone for the protection of offshore fish and marine resources, and is a longtime member of the National Wildlife Federation; and

WHEREAS, Congressman Clausen was the 1978 recipient of the Frank G. Brewer Trophy, the nation's highest aerospace education award, and also served as Congressional Advisor to the 1966 World Forestry Congress in Madrid, Spain, and to the 1967 and 1971 Pan-American Highway Congresses in Uruguay and Ecuador; and

WHEREAS, The academic career of Congressman Clausen, a native Californian, culminated in graduation from Humboldt County schools, San Jose State College, California Polytechnic, St. Mary's College, and Weber College in Utah, and includes honorary degrees awarded by Pacific Union College in Angwin, California, and Embry-Riddle Aeronautical University in Florida; and

WHEREAS, Congressman Clausen served honorably as a Navy pilot during World War II and later enjoyed a successful career in banking, insurance, and commercial aviation prior to his entry into Congress; and

WHEREAS, His experience and commitment have been recognized in his recent appointment as Director of Special Programs, Federal Aviation Administration; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature take pleasure in honoring and commending Congressman Don Clausen on his illustrious record of public and professional service to the people of California; and be it further

Resolved, That the overpass on State Highway Route 101 in the City of Rohnert Park at the intersection of the Rohnert Park Expressway and Route 101 is hereby designated the "Congressman Don Clausen Overpass"; and be it further

Resolved, That the Department of Transportation be directed to determine the cost of and to erect appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this official designation, upon receiving donations from private sources covering the cost of erecting those plaques and markers; and be it further

Resolved, That copies of this resoluton be transmitted by the Chief Clerk of the Assembly to the Director of Transportation, the Secretary of the Business, Transportation and Housing Agency, and the City Council of the City of Rohnert Park; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the Assembly to Don Clausen.

RESOLUTION CHAPTER 58

Assembly Joint Resolution No. 9—Relative to disabled drivers.

[Filed with Secretary of State July 1, 1983]

WHEREAS, The State of California has enacted laws providing for special plates or placards to be used by disabled veterans and other disabled persons to prevent the issuance of citations or towing away of their vehicles parked in handicapped parking spaces; and

WHEREAS, Disabled veterans and other disabled persons' vehicles with permits issued by other states may not be so protected, and California registered vehicles may not be so protected in other states; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact a law providing for a reciprocal agreement by states to permit

disabled veterans' and other disabled persons' parking privileges to extend across state boundaries; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 59

Assembly Joint Resolution No. 14—Relative to trick and fancy roping.

[Filed with Secretary of State July 1, 1983]

WHEREAS, The art of skillfully manipulating loops in a seemingly endless variety of tricks and catches from an inanimate rope is a display of skill which originated on this continent, and is associated with the cowboy and the charro as part of their routine daily life; and

WHEREAS, This art takes great skill, intensive training, great incentive, and artistic ability, and it is noted that thousands of people of all ages, sex, and nationality can do the art of trick and fancy roping with great skill and beauty, and it is also recognized as an enjoyable exercise; and

WHEREAS, Throughout the past 100 years since the first Buffalo Bill Wild West performance, the art of rope spinning has been enjoyed by audiences all over the world, and it has provided a thrilling medium for the preservation of the history and culture of the cowboy and charro; and

WHEREAS, This centennial of the historic skills of trick and fancy roping with rope spinning furthers the efforts of these artists to bring admiration and beauty to our state and national culture through this art, and it is therefore fitting that official recognition be given to help preserve this basic part of our American history; and

WHEREAS, Although the earliest trick ropers may forever remain unknown, Will Rogers was recognized as a master of the art on stage, in movies, and in the arena; and

WHEREAS, It has remained a performing art with growing numbers of trick ropers, and today the International Trick and Fancy Roping Association is keeping alive the art not only for the enjoyment of the roper but for the benefit, entertainment, and enrichment of the lives of all citizens; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to recognize and designate the skill of trick and fancy roping with rope spinning as both an art form and a performing art; and be it further

Resolved, That the Legislature respectfully request the United States Postal Service to issue a postage stamp recognizing the art of trick and fancy roping and commemorating its centennial in the United States; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from the State of California, and to the Postmaster General.

RESOLUTION CHAPTER 60

Assembly Joint Resolution No. 44—Relative to designating California State University, Northridge as a National Higher Education Center on Disability.

[Filed with Secretary of State July 1, 1983]

WHEREAS, Society is increasingly aware of the needs and potential of the disabled individual; and

WHEREAS, State and federal legislation is increasingly designed to "mainstream" the disabled individual into more active and normal roles in society; and

WHEREAS, California State University, Northridge believes in providing all students with an education which includes the development of intellectual abilities, a heightened awareness of social, cultural, and humane values, and a competency in the methods of intellectual inquiry; and

WHEREAS, California State University, Northridge provides a total environment which is attractive to the disabled person by actively reducing physical barriers and by providing special science, cartography, television production, computer science, and library facilities, as well as a special wheelchair repair and battery recharging facility; and

WHEREAS, California State University, Northridge provides important support services to the disabled student through the Handicapped Students' Affairs Office, the Counseling Center, the Career Planning and Placement Office, the Student Health Center, the Admission and Records Office, and the Financial Aid Office; and

WHEREAS, California State University, Northridge serves students from across the country who are enrolled in more than 30 major fields of study at the university; and

WHEREAS, A substantial number of faculty, staff, and students at California State University, Northridge conduct research on issues relating to disabled individuals, provide training to students desiring to work with disabled individuals, assist disabled students to complete college degree programs, and provide community services

to disabled individuals; and

WHEREAS, California State University, Northridge has nationally and internationally recognized programs on: deafness; language, speech and hearing; physical achievement for the handicapped; independent living; recreation for the disabled; training teachers to integrate physically disabled students into regular classrooms in the public schools; and helping families with infants who have developmental disabilities; and

WHEREAS, California State University, Northridge has an outstanding reputation and has developed an excellent resource base from which to become a National Center on Disability; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to designate Califoria State University, Northridge as a National Higher Education Center on Disability; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 61

Assembly Concurrent Resolution No. 22—Relative to veteran service funding

[Filed with Secretary of State July 5, 1983.]

WHEREAS, Many financially needy California veterans fail to apply for federal veterans benefits to which they might be entitled and are subsequently absorbed into the state's welfare system; and

WHEREAS, A welfare referral program was instituted in 1975 in order to enhance welfare savings through referral of veteran applicants first to the county veteran service officers; and

WHEREAS, It has been difficult to determine the cost-effectiveness of state subsidies to veteran service officers as a welfare cost savings mechanism; and

WHEREAS, In recent years, the Legislature has raised questions through the budget process regarding state funding of veteran service officers at the county level; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Finance, in consultation with the Department of Veterans Affairs and the Department of Social Services, is requested to conduct a study of the cost-effectiveness of funding county veteran service officers as a

welfare savings measure; and be it further

Resolved, That the Departments of Finance and Veterans Affairs are requested to determine by agreement between them the scope of the study within a cost limitation of twenty-five thousand dollars ($25,000); and be it further

Resolved, That the report of the results and recommendations of this study include recommendations for improvements in the county veteran referral systems to increase welfare savings; and be it further

Resolved, That this report and recommendations be transmitted to the Assembly Select Committee on Veterans Affairs, the Assembly Ways and Means Committee, and the Senate Finance Committee not later than six months from the date of chaptering of this resolution; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Finance and the Director of Veterans Affairs.

RESOLUTION CHAPTER 62

Assembly Concurrent Resolution No. 55—Relative to the Public Procurement Advisory Committee.

[Filed with Secretary of State July 5, 1983.]

WHEREAS, The fiscal crisis of the state dictates that all cost saving measures in the operation of government must be evaluated and implemented where reasonably likely to achieve net savings to the state; and

WHEREAS, The state, the California State University, and the University of California expend in excess of $1 billion annually in procuring goods, services, and construction exclusive of the indirect costs of procurement personnel including those of control agencies; and

WHEREAS, Procurement activities will continue to grow in complexity and cost; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That:

1. A California Public Procurement Advisory Committee hereinafter referred to as "the committee," is hereby created and authorized and directed to study, investigate, and analyze state public procurement of goods, services, and construction in California, including procurement by the California State University and by the University of California, and to submit its recommendations to the Governor and the Legislature by January 1, 1985.

2. The committee shall be selected from nationally recognized leaders in the procurement community in California and shall consist

of the following:

(a) A Member of the Senate.

(b) A Member of the Assembly.

(c) The Senate Rules Committee shall designate three committee members.

(d) The Assembly Speaker shall designate three committee members.

(e) The Governor shall designate three committee members.

(f) The Director of General Services.

(g) The Director of Transportation.

(h) The Trustees of the California State University may designate a committee member.

(i) The Regents of the University of California may designate a committee member.

3. The Assembly and the Senate shall equally provide necessary staff services in assisting the committee. The committee members shall serve without compensation.

RESOLUTION CHAPTER 63

Assembly Joint Resolution No. 37—Relative to discharge of certain debts in bankruptcy proceedings.

[Filed with Secretary of State July 5, 1983]

WHEREAS, The carnage and destruction left in California by persons driving motor vehicles while under the influence of alcohol is unacceptable; and

WHEREAS, The federal Bankruptcy Act of 1978 does not authorize the discharge of an individual debtor from any debt for willful and malicious injury by the debtor to another entity or to the property of another entity; and

WHEREAS, Certain federal courts, in bankruptcy proceedings, have determined that injuries caused by persons driving motor vehicles while under the influence of alcohol are not willful and malicious injuries for purposes of bankruptcy law; and

WHEREAS, The Congress presently is considering legislation to revise certain aspects of bankruptcy law; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to carefully consider the possibility of amending the bankruptcy law to discontinue the policy of permitting the debts of a person, including a personal injury judgment, resulting from that person's act of driving a motor vehicle while under the influence of alcohol to be discharged in a bankruptcy proceeding; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of

this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 64

Assembly Concurrent Resolution No. 63—Relative to the forest products industry.

[Filed with Secretary of State July 12, 1983.]

WHEREAS, The forest resources of the State of California provide a vitally important economic benefit to the people of California; and

WHEREAS, The forest products industry contributes substantially to the health and stability of state and local economics by providing high quality timber and employment opportunities; and

WHEREAS, The lumber harvested from the California forests is used to build houses, furniture, and many other essential items; and

WHEREAS, The economic recession has caused California forest production to decline from 4.3 billion board feet in 1978 to approximately 2.0 billion board feet in 1982, and with it the economic well being of whole communities and tens of thousands of workers; and

WHEREAS, The economic recession has created unemployment in California's timber counties that has reached as high as 25 percent; and

WHEREAS, The economic recession has deprived state and local governments and schools of millions of dollars of forest product derived revenue; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is the goal of this Legislature that the forest products industry be restored to its former healthy state so that it can once again make its valuable contribution to state and local economy; and be it further

Resolved, That all agencies of state government are, within their authority and budget, requested to facilitate the achievement of this goal at the earliest time; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, the Secretary of the Resources Agency, the Secretary of the Business, Transportation and Housing Agency, the Secretary of the Health and Welfare Agency, and the Director of Finance.

RESOLUTION CHAPTER 65

Senate Joint Resolution No. 13—Relating to housing.

[Filed with Secretary of State July 13, 1983.]

WHEREAS, Housing is a basic necessity for the people of the State of California; and

WHEREAS, There is a significant lack of affordable single-family housing available for first-time homebuyers in California; and

WHEREAS, High interest rates have made it very difficult for first-time homebuyers to obtain affordable single-family housing; and

WHEREAS, The use of tax-exempt mortgage subsidy bonds has made it possible to make single-family homes affordable to first-time homebuyers in California; and

WHEREAS, In 1982, over $1.8 billion in mortgage subsidy bonds were issued to build housing in California; and

WHEREAS, This also provided employment in the construction industry at a time when unemployment is high; and

WHEREAS, This financial source is threatened by a sunset in federal legislation on the use of this mechanism; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to extend indefinitely the authority of state and local governments to issue mortgage subsidy bonds under Section 103A of the Internal Revenue Code of 1954; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 66

Senate Joint Resolution No. 14—Relative to Community Development Block Grants.

[Filed with Secretary of State July 13, 1983.]

WHEREAS, The Community Development Block Grant program is a necessary and integral part of local community activities; and

WHEREAS, Community Development Block Grant funds permits localities to undertake a wide range of activities directed toward neighborhood revitalization, economic development and improved community facilities and services; and

WHEREAS, Specific activities that can be carried out with

Community Development Block Grant funds include acquisition of real property, relocation and demolition, rehabilitiation of residential and nonresidential structures, water and sewer facilities, streets and neighborhood centers; and

WHEREAS, These services and activities are vital to local government's ability to function; and

WHEREAS, It is necessary to maintain the Community Development Block Grant Program in order to continue its use for vital items of infrastructure and other services; now, therefore be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to maintain the Community Development Block Grant program and increase its funding level; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 67

Senate Joint Resolution No. 16—Relative to Urban Development Action Grants.

[Filed with Secretary of State July 13, 1983.]

WHEREAS, The Urban Development Action Grant program is a significant factor in encouraging urban revitalization; and

WHEREAS, It is the policy of this state to encourage and aid urban revitalization efforts; and

WHEREAS, Cooperation between local, state, and federal governments is necessary in revitalization efforts; and

WHEREAS, The Urban Development Action Grant program has generated tens of millions of dollars in public and private investment to revitalize urban areas of this state; and

WHEREAS, The Urban Development Action Grant program may be threatened with serious funding cuts; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to maintain the Urban Development Action Grant program with its current funding level; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 68

Assembly Concurrent Resolution No. 45—Relative to small business services for veterans.

[Filed with Secretary of State July 18, 1983]

WHEREAS, Many disabled and Vietnam era veterans are in need of services which will enable them to start or expand small businesses; and

WHEREAS, Vietnam era veterans are presently at an average age of 36, the age at which most people embark on small business ventures; and

WHEREAS, Public Law 93-237, which amended the federal Small Business Act, directed the Small Business Administration to give "special consideration" to veterans of the armed forces in all agency programs; and

WHEREAS, The Small Business Administration recently instituted a comprehensive policy regarding special consideration for veterans of the armed forces; and

WHEREAS, The United States Congress recently appropriated 25 million dollars for direct loans to disabled and Vietnam era veterans, of which at least one million dollars is expected to be disbursed in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Economic and Business Development is requested to establish a program of technical assistance in starting and expanding small businesses for disabled and Vietnam era veterans in order that those individuals with the greatest need for assistance be given access to the resources of this new program, making maximum use of available federal funds, including, but not limited to, funds available to the state under Public Law 93-237 and the federal Small Business Act; and be it further

Resolved, That the Department of General Services is requested to direct its Small and Minority Business Procurement Assistance Division to provide advice and assistance to disabled and Vietnam era veterans regarding the application for and obtaining of procurement contracts with the State of California; and be it further

Resolved, That the Department of Economic and Business Development report to the Legislature within 18 months of the chaptering of this resolution on the results of and its recommendations concerning the technical assistance program for disabled and Vietnam era veterans established in accordance with this resolution, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of

this resolution to the Director of Economic Development and the Director of Veterans Affairs.

RESOLUTION CHAPTER 69

Assembly Concurrent Resolution No. 61—Relative to commending the California Conservation Corps.

[Filed with Secretary of State July 18, 1983.]

WHEREAS, During the floods of 1983, the young women and men of the California Conservation Corps worked seven straight days, from Wednesday, January 27 through Tuesday, February 1, in a crash effort to shore up and strengthen levees along the Sacramento-San Joaquin Delta; and

WHEREAS, Crews from 14 corps centers throughout the state joined together to fill and place 67,685 sandbags despite heavy rains, darkness, and strong winds; and

WHEREAS, Corps members worked an estimated 8,778 hours which required sleeping in shifts around the clock and surviving the miserable conditions which are a part of corps life; and

WHEREAS, The California Conservation Corps is a cost-effective emergency response team returning two dollars and sixty-three cents ($2.63) for every one dollar ($1) of state emergency expenditures; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the Members commend the great dedication of the men and women of the California Conservation Corps for their perseverance and devotion to duty in their assistance to the communities and citizens of the Sacramento-San Joaquin Delta during the emergency; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Director of the California Conservation Corps.

RESOLUTION CHAPTER 70

Assembly Concurrent Resolution No. 67—Relative to veterans.

[Filed with Secretary of State July 18, 1983]

WHEREAS, Veterans, widows and widowers of veterans, and spouses of 100 percent disabled veterans are granted preference points on certain state civil service entrance examinations; and

WHEREAS, A veterans' preference has been in existence since 1937; and

WHEREAS, The program was formerly administered by the Department of Veterans Affairs; and

WHEREAS, The responsibility for the administration of the program was transferred to the State Personnel Board effective in fiscal year 1982–83 as a potentially cost-effective and efficiency measure; and

WHEREAS, This transfer has raised some questions and concerns by the veteran community as to the quality of service being provided by the State Personnel Board; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Auditor General be directed to conduct a study to evaluate the efficiency and effectiveness of the Veterans Preference Program as administered by the State Personnel Board as compared with the program previously administered by the Department of Veterans Affairs; and be it further

Resolved, That this study shall include, but not be limited to, an analysis of the following:

(1) Cost of administering the program.
(2) Staffing levels.
(3) Workload levels.
(4) Certification procedures used.
(5) Timeliness of processing applications and certification lists.
(6) Quality of services provided; and be it further

Resolved, That the report of the findings and recommendations of this study include recommendations for improvements to the program and be submitted to the Legislature no later than six months after adoption of this measure; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Joint Legislative Audit Committee, the Director of the Department of Veterans Affairs, and the Executive Officer of the State Personnel Board.

RESOLUTION CHAPTER 71

Assembly Joint Resolution No. 69—Relative to small business.

[Filed with Secretary of State July 18, 1983.]

WHEREAS, There are over 2 million small businesses in California which employ more than 10 million Californians; and

WHEREAS, 87 percent of all new jobs are created by small businesses; and

WHEREAS, It is clear that small businesses are the stabilizing force in the economy; and

WHEREAS, Small businesses often lack meaningful access to the legislative process that large firms enjoy; and

WHEREAS, The White House Conference on Small Business in

1980 attracted 1,682 delegates and 3,600 observers, and produced 60 specific recommendations in 12 issue areas to improve the position of small business in the economy; and

WHEREAS, Many of the legislative recommendations of the conference have already been enacted into law, including changes to the tax code, reduced regulatory requirements, and new public and private initiatives to assist small business; and

WHEREAS, California has taken action based on these recommendations which resulted in the Equal Access to Justice Act, the California Regulatory Fairness Law, and the State Late Payment Act; and

WHEREAS, This conference brought together for the first time a broad-based, bipartisan coalition of thousands of small business men and women to give them the chance to decide for themselves solutions to the significant problems they face; and

WHEREAS, Senator Lowell Weicker (R-Connecticut), Chair of the Senate Small Business Committee was joined by 51 of his colleagues in a bipartisan letter urging the President to reconvene the 1980 conference; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to reconvene the 1980 White House Conference on Small Business to give small business the voice it needs in government; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 72

Senate Joint Resolution No. 1—Relative to disclosure of personal information concerning public assistance program applicants and recipients.

[Filed with Secretary of State July 19, 1983]

WHEREAS, In the administration of federally funded public assistance programs by the states, including the State of California, personal information is secured concerning applicants and recipients under these programs; and

WHEREAS, The federal Social Security Act and related administrative regulations limit the use and disclosure of this information by the states to specified purposes relating exclusively to the administration of public assistance programs; and

WHEREAS, These restrictions prevent the states from using this information in their efforts to enforce the law and protect the public welfare in various criminal and civil contexts not directly related to the administration of public assistance programs; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorialize the President and the Congress of the United States to amend the Social Security Act to provide that personal information concerning applicants and recipients secured by the states, and their political subdivisions, in the administration of federally funded public assistance programs may be used or disclosed pursuant to a criminal proceeding brought on behalf of the people of the State of California or on behalf of the United States government, provided a warrant has been issued upon probable cause and provided that a nexus exists between the crime or crimes alleged and the information sought, and that reasonable efforts have been made to verify that the person under suspicion is the applicant or recipient; and be it further

Resolved, That the information so disclosed be the least amount of information reasonably consistent with achievement of the purpose to be served; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 73

Senate Concurrent Resolution No. 5—Relative to the Arthur H. Breed, Jr. Freeway.

[Filed with Secretary of State July 19, 1983]

WHEREAS, The Honorable Arthur H. Breed, Jr. was elected twice to the Assembly and five times to the Senate by the voters of Alameda County, with a continuous tenure of service in the Legislature from 1935 to 1959; and

WHEREAS, The Honorable Arthur H. Breed, Jr. was a highly respected legislator who provided exemplary representation to his constituents and to all the people of California; and

WHEREAS, Service to Californians in general and to the people of Alameda County in particular has been a Breed family tradition; Arthur H. Breed, the father of the subject of this resolution, served in the Senate from 1913 to 1935, including 18 years as President pro Tempore of the Senate; and

WHEREAS, The Breed family thus provided 46 consecutive years of service in the Legislature; and

WHEREAS, During his legislative tenure, and in his subsequent career, the Honorable Arthur H. Breed, Jr. has been of extensive and notable benefit to the progress of California's highway network; it is appropriate at this time that his work for the development of transportation in California be fittingly acknowledged; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That Interstate 580 between Castro Valley and Livermore is hereby officially designated the Arthur H. Breed, Jr. Freeway; and be it further

Resolved, That the Department of Transportation be directed to determine the cost of erecting appropriate plaques and markers, consistent with signing requirements for the state highway system, showing this official designation and, upon receiving donations from private sources covering that cost, to erect those plaques and markers; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Director of Transportation; and be it further

Resolved, That the Secretary of the Senate transmit a suitably prepared copy of this resolution to the Honorable Arthur H. Breed, Jr.

RESOLUTION CHAPTER 74

Senate Concurrent Resolution No. 9—Relative to White Point park plan.

[Filed with Secretary of State July 19, 1983]

WHEREAS, The White Point property, adjacent to Royal Palms State Beach, in Los Angeles County, because of its location in a densely populated urban area and on a rare scenic bluff overlooking the Pacific Ocean and Catalina Island, presents a site that is ideally suited to park purposes; and

WHEREAS, The Department of Recreation and Parks of the City of Los Angeles, the present legal owner of the White Point property, was deeded the property in 1976 by the federal government with a stipulation that the property be used for recreation purposes, and the property has not been developed as a recreation site; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Parks and Recreation, with the participation of the State Coastal Conservancy, the City of Los Angeles, the County of Los Angeles, and other appropriate private and public entities, is requested to conduct a series of public

meetings for the purpose of developing a plan for the utilization of the property at White Point for recreation purposes; and be it further

Resolved, That, at a minimum, the public meetings and the plan address the following:

(1) The operation of the White Point property, including its operation in conjunction with Royal Palms State Beach.

(2) The public or private entity or entities best suited to operate and manage the White Point property.

(3) The recreational uses to be established at the White Point property, including a determination of the suitability of the property for overnight camping and the feasibility and effectiveness of establishing buffer areas between the surrounding neighborhood and any recreational uses that may occur on the White Point property.

(4) The provision of safe public access between the bluff and the beach-level portions of the White Point property across Paseo del Mar.

(5) The number and disposition of personnel needed to assure proper management and supervision.

(6) The type of improvements at the site that is consistent with the terms under which title to the property was granted; and be it further

Resolved, That the Department of Parks and Recreation may employ the services of the State Coastal Conservancy and all other means it deems necessary to assure the highest possible level of public participation in the meetings and in the development of the plan; and be it further

Resolved, That the Department of Parks and Recreation transmit the plan to the Legislature on or before March 31, 1984; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Director of Parks and Recreation, to the Chairman of the State Coastal Conservancy, to the Board of Supervisors of the County of Los Angeles and to the City Council of the City of Los Angeles.

RESOLUTION CHAPTER 75

Senate Concurrent Resolution No. 15—Relating to disabled persons.

[Filed with Secretary of State July 19, 1983]

WHEREAS, The State of California has shown itself a leader in breaking down barriers to the mainstream of American society for its citizens with disabilities; and

WHEREAS, This state has approximately 1,500,000 residents with

disabling conditions; and

WHEREAS, Public awareness of the abilities of persons with impairing conditions has been increased by the California Year of Disabled Persons in 1982 and the United Nations' International Year of the Disabled Person in 1981; and

WHEREAS, The education of the public concerning the need of persons with disabilities to work and be a productive part of society must be continued; and

WHEREAS, The United Nations has declared 1983 to 1992 as the Decade of Disabled Persons; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby declares 1983 through 1992 as the California Decade of Disabled Persons, and that it is of the utmost importance to continue to increase the awareness of the public that persons with disabilities are, and can be, productive and effective members of this society.

RESOLUTION CHAPTER 76

Assembly Concurrent Resolution No. 36—Relative to sharing of information by state agencies.

[Filed with Secretary of State July 21, 1983]

WHEREAS, The rapid growth in noncompliance, with respect to the state's tax laws, in recent years poses a threat to the system of voluntary compliance and the ability of the state to collect the revenues due the state; and

WHEREAS, Much of the information required to adequately enforce the state tax laws and ensure accurate assessment of taxes is already available within the various state agencies; and

WHEREAS, There are existing legal and budgetary constraints to the sharing of this information; and

WHEREAS, Information sharing may improve the overall effectiveness and efficiency of state operations and support expanding cooperative efforts between state entities; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature respectfully directs all state agencies to provide in a manner which does not violate legal rights to confidentiality or privacy, available information regarding individual entities or taxpayers to the revenue agencies of the state, namely the Franchise Tax Board, the State Board of Equalization, the Employment Development Department, the Controller, and any other agencies administering state taxes, and that these agencies share information with each other, for the purpose of increasing the effectiveness and efficiency of the state's revenue collection efforts;

and be it further

Resolved, That where legal or budgetary constraints exist relative to the providing or sharing of this information among the Franchise Tax Board, the State Board of Equalization, the Employment Development Department, the Controller, and any other state agencies administering state taxes, state entities cooperate with the Franchise Tax Board in identifying these constraints; and be it further

Resolved, That the Franchise Tax Board prepare and submit a report to the Legislature by June 30, 1984, identifying the known constraints to providing and sharing this information among the revenue agencies of the state; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to each of the revenue agencies of the state and that each of these agencies be responsible for carrying out the purpose of this resolution as it relates to the needs of the agency.

RESOLUTION CHAPTER 77

Assembly Concurrent Resolution No. 41—Relative to merit awards.

[Filed with Secretary of State July 21, 1983]

WHEREAS, Section 19823 of the Government Code provides that awards may be made to state employees in excess of three thousand dollars ($3,000) when the awards are approved by concurrent resolution of the Legislature; and

WHEREAS, An award of three thousand dollars ($3,000) has already been made to Charles A. McFarlane, State Board of Equalization, for a suggestion which resulted in increased revenue of three hundred thousand seven hundred two dollars ($300,702) by recommending an audit schedule be prepared to verify exemption from sales tax on all nonresident aircraft sales and any questionable common carrier/foreign government sale; and

WHEREAS, An award of three thousand dollars ($3,000) has already been made to Christina M. Alvarado, Department of Health Services, for a suggestion which resulted in annual cost-avoidance savings of thirty-five thousand dollars ($35,000) by recommending use of a template to ensure all pertinent data is entered on Treatment Authorization Request forms prior to release to providers and fiscal intermediary for computer entry; and

WHEREAS, An award of three thousand dollars ($3,000), divided equally, has already been made to Patricia A. Franklin and Donna L. Hoyle, California Department of Highway Patrol, for a suggestion which resulted in annual savings of thirty-six thousand nine hundred sixty-nine dollars ($36,969) by recommending the department no

longer transmit a copy of CHP 422A, Notice of Stored Vehicle, to the proprietor of a storage garage; and

WHEREAS, An award of three thousand dollars ($3,000) has already been made to Mary L. Seyfer, Department of Motor Vehicles, for a suggestion which has resulted in annual savings of sixty-five thousand eight hundred sixty-nine dollars ($65,869), by recommending that the EDP printed four inches by five inches file copy of error items for rejected applications be eliminated; and

WHEREAS, An award of three thousand dollars ($3,000) has already been made to Michael E. Lahodny, Department of Transportation, for a suggestion which has resulted in annual savings of seventy-eight thousand five hundred thirty-four dollars ($78,534) by recommending purchase of a Data-Quick Information System and microfiche reader/printer for monthly updated tabulation of all deed recordings in the County of Los Angeles; and

WHEREAS, An award of five thousand one hundred dollars ($5,100), divided equally, has already been made to Joyce Alfonso, Harold Latter, and John Dutton, Department of Transportation, for a suggestion which resulted in one-time savings of two hundred four thousand dollars ($204,000) by recommending lease negotiations for 13,000 additional square feet of office space in District 04 be canceled; and

WHEREAS, An award of three thousand dollars ($3,000) has already been made to Frederick W. Will, Department of Transportation, for a suggestion which has resulted in annual savings of ninety-five thousand dollars ($95,000) by recommending that reflectorized sheeting be used on ground-mounted roadside signs instead of reflectorized buttons; and

WHEREAS, An award of three thousand dollars ($3,000) has already been made to John D. Burns, San Francisco State University, for a suggestion which has resulted in annual savings of forty-four thousand four hundred seventy dollars ($44,470), by recommending one boiler instead of two be operated at the university to reduce energy expense; and

WHEREAS, The suggestions of these employees have resulted in annually recurring, one-time savings and increased revenue amounting to eight hundred sixty thousand five hundred forty-four dollars ($860,544); and

WHEREAS, As a result of these savings, it is unnecessary to appropriate additional funds for payment of these awards; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the following awards, which have been approved by the Department of Personnel Administration are hereby authorized to the employees named:

Charles A. McFarlane, twenty-seven thousand seventy dollars ($27,070)

Christina M. Alvarado, five hundred dollars ($500)

Patricia A. Franklin, three hundred forty-eight dollars ($348)

Donna L. Hoyle, three hundred forty-eight dollars ($348)

Mary L. Seyfer, three thousand five hundred eighty-five dollars ($3,585)

Michael E. Lahodny, four thousand eight hundred fifty-three dollars ($4,853)

Joyce Alfonso, one thousand six hundred thirty-three dollars ($1,633)

Harold Latter, one thousand six hundred thirty-three dollars ($1,633)

John Dutton, one thousand six hundred thirty-three dollars ($1,633)

Frederick W. Will, six thousand five hundred dollars ($6,500)

John D. Burns, one thousand four hundred fifty dollars ($1,450) and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Department of Personnel Administration and to the Controller.

RESOLUTION CHAPTER 78

Assembly Joint Resolution No. 21—Relative to the Santa Margarita Project.

[Filed with Secretary of State July 21, 1983.]

WHEREAS, The Santa Margarita Project is proposed as a Bureau of Reclamation multiple-purpose project in northern San Diego County, California, near the town of Fallbrook; and

WHEREAS, The project would consist of two dams and reservoirs on the Santa Margarita River, Fallbrook Dam, which would impound 36,150 acre-feet of water, and the DeLuz Dam, which would impound 100,000 acre-feet of water, and conveyance lines to serve the Fallbrook Public Utility District and the Marine Corps Base at Camp Pendleton; and

WHEREAS, The project would supply vitally needed supplemental municipal and industrial water to the Fallbrook Public Utility District, as well as provide for flood control, recreation, fish and wildlife enhancement, and regulation of imported water; and

WHEREAS, The two reservoirs would retain and deliver an average of 15,540 acre-feet of streamflow per year, which would be divided between Camp Pendleton and the Fallbrook Public Utility District; and

WHEREAS, It is essential that the Santa Margarita Project be authorized and constructed at the earliest possible time to prevent a possibly catastrophic water shortage within the area of the project in the near future; now, therefore, be it

Resolved by the Assembly and Senate of the State of California,

jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to expeditiously authorize the construction of the Santa Margarita Project in northern San Diego County and to provide the initial funding necessary to enable construction of the project to commence; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 79

Assembly Joint Resolution No. 38—Relative to a national public safety telecommunications policy.

[Filed with Secretary of State July 21, 1983]

WHEREAS, Radio telecommunication is the principal medium of command and control for those agencies which are charged with the maintenance of the public safety; and

WHEREAS, There are insufficient radio spectrum frequencies allocated to land mobile radio service in the public safety area; and

WHEREAS, The fierce competition for remaining frequencies best suited for public safety communications has resulted in fragmentation and congestion of those frequencies; and

WHEREAS, The existence of fragmented communication capabilities inhibits effective delivery of police, fire, and paramedic services for day-to-day operations and impedes service in emergency situations while making tactical coordination between agencies almost impossible; and

WHEREAS, The Communications Act of 1934, which is the Federal Communications Commission's charter, requires that those services which provide for the protection of life and property have priority over all other applicants and user groups in the assignment of sufficient spectrum; and

WHEREAS, The Federal Communications Commission continues the licensing of other services to frequencies suitable for public safety which is rapidly eliminating the last possible chance for public safety to obtain a broadcast spectrum having the required propagation characteristics capable of meeting present and future needs; and

WHEREAS, The Federal Communications Commission has not sufficiently recognized the necessity for the assignment to public safety of contiguous, sufficient, and appropriate frequencies for current and future needs and, what is more, the commission has

assigned frequencies to public safety which are spread over the entire radio spectrum to the extent that it may require up to eight different radios for public safety or law enforcement agencies to intercommunicate during emergencies; and

WHEREAS, The Federal Communications Commission has assured Congress that it is adequately providing for public safety and law enforcement, while in fact it is proceeding to license those few remaining frequencies to the television service; and

WHEREAS, There is a need to establish a national public safety telecommunications policy with specific priorities in order to address the issues confronting public safety communication; and

WHEREAS, These issues have been previously submitted to the Federal Communications Commission and are supported by the International Association of Chiefs of Police, the International Association of Fire Chiefs, the California Peace Officers' Association, the National Association of Public Safety Communications Officers, the California Public Safety Radio Association, and the National Association of Police Planning Officers'; and

WHEREAS, The California Legislature, in cooperation with the Marin County Sheriff's Department, has resolved to support in principle the petition submitted to the Federal Communications Commission by the Sheriff of Los Angeles County, in the interest of all public safety organizations in the United States; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and Congress of the United States are respectfully memorialized to take appropriate action to ensure that oversight hearings are held regarding the vital need for public safety communication, and to ensure that the Communications Act of 1934 is amended for the purpose of establishing a national public safety telecommunications policy; and be it further

Resolved, That the Congress is respectfully requested to enact, and the President to sign, federal legislation to create a national public safety telecommunications policy that would set forth the following priorities for the issuance of telecommunications licenses by the Federal Communications Commission:

(a) First priority—Those services which directly provide for the national defense (military and support agencies), as provided for by the Interdepartmental Radio Advisory Committee

(b) Second priority—Those services which directly provide for the protection of life and property (police, fire, certain government and private agencies).

(c) Third priority—Those services which directly provide activities essential to the continued well-being of the populace (utilities, public transportation, certain public agencies).

(d) Fourth priority—Those services which directly contribute to the effective continuance of commerce and the economic well-being of the nation (business radio, experimental technology).

(e) Fifth priority—Those services which provide information,

instruction, and entertainment to the populace (broadcast radio and television).

(f) Sixth priority—Those services which are primarily recreational in nature; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 80

Assembly Joint Resolution No. 47—Relative to Ukrainian Genocide.

[Filed with Secretary of State July 21, 1983]

WHEREAS, Fifty years ago the Stalin regime committed a grave crime against humanity by causing an artificial famine in the Ukraine during 1932–33, which resulted in the deaths of five to seven million Ukrainians; and

WHEREAS, The Stalin regime employed armed cadres, an economic blockade, and the confiscation of agricultural harvest to break resistance to forced collectivization, oppressive political rule, and religious persecution; and

WHEREAS, It is appropriate for the people of California to join with other Americans in expressing their abhorrence of the oppression and genocide of the Ukrainian people during 1932–33; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature proclaim October 2, 1983, as a Day of Remembrance of the Ukrainian Genocide of 1932–33; and be it further

Resolved, That the Legislature request the Governor of California and the President of the United States to proclaim October 2, 1983, as a Day of Remembrance of the victims of the Stalin-inspired, manmade famine in the Ukraine in 1932–33; and be it further

Resolved, That the Legislature commend the Ukrainian Research Institution at Harvard University and the Ukrainian National Association for their joint support of the forthcoming monograph on the Ukrainian Genocide of 1932–33. and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor of California, the President of the United States, the President of Harvard University in Cambridge, Massachusetts, and the President of the Ukrainian National Association in Jersey City, New Jersey.

RESOLUTION CHAPTER 81

Senate Joint Resolution No. 3—Relative to housing.

[Filed with Secretary of State August 22, 1983.]

WHEREAS, Section 8 of the Housing and Urban Development Act of 1937, as amended, is located in Section 1437f of Title 42 of the United States Code, and it is designed, among other things, to provide affordable housing for senior citizens; and

WHEREAS, Increasing numbers of senior citizens are electing to reside in mobilehomes because it offers them the most economically feasible housing alternative in a desirable retirement area; and

WHEREAS, Section 8 of the Housing and Urban Development Act of 1937 does not presently include mobilehome park development as a qualified loan project; and

WHEREAS, It would be in keeping with the purposes of Section 8 of the Housing and Urban Development Act of 1937 to include mobilehome park development as a project which could be financed under the program; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to amend Section 8 of the Housing and Urban Developement Act of 1937 to include mobilehome park development among the projects which may be financed under the program; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 82

Assembly Concurrent Resolution No. 46—Relative to imported natural gas.

[Filed with Secretary of State August 23, 1983]

WHEREAS, The first permit for the importation to California of Canadian natural gas was issued in 1960, and, by 1970, contracts were in force, with an earliest expiration date of 1985, calling for delivery of about one-sixth of California's total gas usage; and

WHEREAS, This Canadian gas was then priced competitively with United States produced gas at less than 20 cents per thousand cubic feet, but after the 1973 Arab oil embargo, the Canadian government, facing large increases in the cost of imported oil to eastern Canada, determined to offset these imports by increasing the price of its gas

sold to the United States to the equivalent cost of oil, which has been as high as $4.94 per million British thermal units (Btu); and

WHEREAS, Federal price deregulation of United States natural gas has made large supplies available at prices substantially less than Canadian natural gas; and

WHEREAS, Natural gas is purchased from Canada at a uniform border price set by the Canadian government under which California gas consumers are forced to subsidize the delivery of Canadian gas to other markets; and

WHEREAS, Gas is purchased from Canadian suppliers under contracts which include high minimum purchase and "take-or-pay" requirements which limit the ability of United States pipelines to reduce their purchase of Canadian gas in order to buy lower priced natural gas from other sources; and

WHEREAS, A continued secure supply of Canadian natural gas is essential to meet the long-term energy needs of Californians, but it is equally important that the price and terms by which these supplies are obtained be equitable to consumers and suppliers alike; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Public Utilities Commission is requested to direct the gas corporations subject to its jurisdiction to continue aggressive negotiations with the government of Canada to achieve immediate and substantial reductions in the price of natural gas and to obtain modifications in the terms and conditions under which Canadian gas is made available to the California market so that Canadian gas once again will become an economical as well as reliable source of energy for California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Public Utilities Commission.

RESOLUTION CHAPTER 83

Assembly Concurrent Resolution No. 79—Relative to commending Dr. Sally K. Ride.

[Filed with Secretary of State August 23, 1983]

WHEREAS, Dr. Sally K. Ride, a native of California, was the first female astronaut to be selected for a mission by the National Aeronautics and Space Administration, and was the flight engineer and mission specialist for the flight of the space shuttle *Challenger* on June 18–24, 1983; and

WHEREAS, Dr. Ride was born in Los Angeles on May 26, 1951, to Dr. and Mrs. Dale B. Ride of Encino; she graduated from the Westlake School in Los Angeles, and earned dual bachelors' degrees in English and physics, as well as masters' and Ph.D degrees in

physics, from Stanford University; and

WHEREAS, Dr. Ride held teaching assistant and research assignments while a graduate student in the Physics Department at Stanford University, and her research included work in low-temperature physics involving experimental general relativity and three years in X-ray astrophysics; and

WHEREAS, In 1978, Dr. Ride was selected as an astronaut candidate by NASA; in August 1979, she completed a one-year training and evaluation period, making her eligible for assignment as a mission specialist on space shuttle flight crews; and

WHEREAS, Since 1981, Dr. Ride has participated in important roles in several space shuttle launches; she was thus well-prepared for the challenge of the history-making flight of *Challenger;* and

WHEREAS, Dr. Ride was one of the mission specialists responsible for the use of the shuttle's remote manipulator system and the deployment of the two communications satellites launched by *Challenger;* and

WHEREAS, *Challenger* was the first vehicle ever to carry as many as five persons into space; on its six-day flight, which began at Kennedy Space Center in Florida, *Challenger* traversed over two million miles before it landed, on its 98th orbit of the earth, at Edwards Air Force Base in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California takes great pleasure in honoring and commending Dr. Sally K. Ride on her numerous academic and professional accomplishments; and be it further

Resolved, That the Legislature of the State of California expresses the pride of all Californians in the historic achievements of Dr. Sally K. Ride, and conveys the enthusiastic congratulations of all Californians on the success of her flight into space; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Dr. Sally K. Ride.

RESOLUTION CHAPTER 84

Assembly Joint Resolution No. 32—Relative to federal student financial aid.

[Filed with Secretary of State August 23, 1983]

WHEREAS, The State of California maintains a longstanding commitment to a quality postsecondary educational system; and

WHEREAS, The State of California maintains a longstanding commitment to an open and accessible postsecondary educational system for all its citizens; and

WHEREAS, The cost of attending postsecondary educational

institutions in California continues to rise; and

WHEREAS, Over one-third of all students in the State of California rely on financial aid to complete their education; and

WHEREAS, Funding for federal student financial aid has decreased each year since fiscal year 1980; and

WHEREAS, A continued decline in funding for federal student financial aid will exclude many citizens from attaining a postsecondary education; and

WHEREAS, This can adversely impact the future welfare of our state and our nation; now therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to maintain federal student financial aid as a priority, to work to stop further reductions in student aid funding, and to work to ensure adequate student financial aid; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 85

Assembly Concurrent Resolution No. 20—Relative to medical technical assistants.

[Filed with Secretary of State August 30, 1983]

WHEREAS, Medical technical assistants and senior medical technical assistants, as a series, employed by the Department of Corrections, have long provided both medical and security services in prison hospitals and infirmaries; and

WHEREAS, The medical technical assistants series has filled the void that has existed because of the difficulty of recruiting registered nurses and other licensed specialists for employment in prison hospitals and infirmaries; and

WHEREAS, Since 1949 the medical technical assistants series has competently fulfilled a dual security-medical role in the institutions operated both by the Department of Corrections and the Department of the Youth Authority; and

WHEREAS, The medical technical assistants series has saved the state great sums of money by assuming that dual role, eliminating the necessity of hiring and assigning additional correctional officers to hospitals and infirmaries; and

WHEREAS, The Legislature enacted Chapter 299 of the Statutes of 1982 with the intent to maintain the medical technical assistants

series as a separate and unique security-medical series which successfully fulfills the unique demands of the prison environment; and

WHEREAS, Currently employed medical technical assistants, based on their demonstrated competency and distinguished record, were granted employment restricted licenses to practice vocational nursing under the provisions of Chapter 299 in order to recognize and officially legitimize their usual medical duties; and

WHEREAS, In deliberations leading to the enactment of Chapter 299, the Department of Corrections agreed to cover all costs associated with the "grandfathering" of current medical technical assistants, in order to avoid causing that legislation to require an appropriation for its implementation; and

WHEREAS, The Department of Corrections made a written commitment, on June 8, 1982, not to use the provisions of Chapter 299 as a basis to reclassify medical technical assistants to a classification similar to the classification of licensed vocational nurses in a general hospital; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Corrections is commended for its implementation of its written commitment not to use the provisions of Chapter 299 as a basis to reclassify medical technical assistants to a classification similar to the classification of licensed vocational nurses in a general hospital, which implementation was communicated in a February 8, 1983, memorandum; and be it further

Resolved, That the Board of Vocational Nurse and Psychiatric Technician Examiners shall refrain from imposing an application fee upon currently employed medical technical assistants who were granted employment restricted licenses to practice vocational nursing under the provisions of Chapter 299; and be it further

Resolved, That the Department of Corrections is urged to fulfill the commitment it made during the negotiations preceding enactment of Chapter 299 to cover the costs incurred by the Board of Vocational Nurse and Psychiatric Technician Examiners in association with "grandfathering" those medical technical assistants who were employed as of the effective date of that act, rather than require individual medical technical assistants to make these payments as is being presently proposed by the department.

RESOLUTION CHAPTER 86

Assembly Concurrent Resolution No. 47—Relative to job training for veterans.

[Filed with Secretary of State August 30, 1983.]

WHEREAS, Employment barriers faced by Vietnam era veterans have been shown through nationwide studies to be more severe than for their nonveteran counterparts; and

WHEREAS, It has been shown that employment difficulties among disabled veterans in particular are even more severe than nondisabled veterans; and

WHEREAS, A study by Louis Harris and Associates has shown that less than 20 percent of all Vietnam era veterans have been able to utilize their military training in the civilian sector; and

WHEREAS, Employment and training services to these veterans are most successfully delivered in conjunction with support services such as those offered by community based veterans service organizations; and

WHEREAS, The provisions of the federal Job Training Partnership Act (P.L. 97-300) which directly apply to veterans are intended merely to promote demonstration projects because of the small amount of funding provided; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Governor direct the Job Training Coordination Council established pursuant to the federal Job Training Partnership Act to develop a program enabling Vietnam era, disabled, and recently separated veterans to be assisted under the act in proportion to their needs and representation in the California workforce; and be it further

Resolved, That the Governor direct the state agency assigned to administer the Job Training Partnership Act in California to provide technical assistance to community based veterans organizations so that their participation under that program can be maximized.

RESOLUTION CHAPTER 87

Assembly Joint Resolution No. 22—Relative to health care services for disabled veterans.

[Filed with Secretary of State August 30, 1983.]

WHEREAS, There are many disabled veterans in California living in areas not served by a United States Veterans' Administration hospital; and

WHEREAS, Many private medical facilities and doctors in those areas refuse to honor Veterans' Administration fee service-connected basis cards in the treatment of disabled veterans because of the inordinate delays encountered in the payment process from the Veterans' Administration; and

WHEREAS, These same facilities and physicians often refuse to honor CHAMPUS and CHAMPVA authorizations for the same

reasons; and

WHEREAS, This impasse has imposed a severe hardship on many disabled veterans in California, and has even resulted in many cases in the failure of veterans to receive proper health care services; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to direct the United States Veterans' Administration to improve the system of reimbursements to private physicians for authorized treatment of service-connected disabled veterans in order that these reimbursements are received within a reasonable time so that the confidence of private physicians in the Veterans' Administration will be regained; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 88

Assembly Joint Resolution No. 23—Relative to salinity.

[Filed with Secretary of State August 30, 1983]

WHEREAS, Agriculture is the number one industry in California, representing $14 billion in gross production annually, accounting for over 10 percent of the nation's agricultural exports, and continuing to grow in importance to the state, the nation, and the world; and

WHEREAS, The San Joaquin Valley is one of the richest agricultural geographical areas of the world, accounting for over 50 percent of the $14 billion that agriculture contributes to the economy of California and the United States; and

WHEREAS, It is estimated that a significant portion of the valley's fertile agricultural land will go out of production by the year 2000, amounting to hundreds of millions of dollars in annual income lost, due to the buildup of salts naturally deposited in the soil and the salts occurring in irrigation water; and

WHEREAS, Salinity in the soil and irrigation water is a major threat to the preservation and development of affected agricultural soils; and

WHEREAS, Other damaging effects directly attributable to uncorrected salinity will further degrade local groundwater supplies and will cause additional deterioration of the water quality in the state's surface water supplies; and

WHEREAS, Salinity is caused by physical properties of the soils

and not the management techniques of the affected growers; and

WHEREAS, The only feasible method of salt removal from the soil is that of leaching and drainage; and

WHEREAS, Many growers have taken steps to alleviate their salinity problem, but lack technical and financial resources to do the job properly or quickly enough; and

WHEREAS, Technology exists to alleviate salinity from the soil under the auspices of the United States Department of Agriculture, the University of California Agricultural Extension, and resource conservation districts; and

WHEREAS, Growers are encouraged to use water in an efficient manner and adopt appropriate conservation practices designed to minimize the amount of water depositing salt to the agricultural fields that requires leaching and drainage; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That it is the intention of the Legislature of the State of California to protect California's valuable agricultural land, water, and wildlife resources, regardless of whether those resources are located in federal, state, or private water service areas; and be it further

Resolved, That the United States Department of Agriculture is requested to make the mitigation of salinity a national high priority under the auspices of the Resource Conservation Act of 1977 and, in targeting technical and financial resources, to recognize in the conduct of all resource conservation programs the importance to the nation of salinity's impact on California's agricultural productive capacity; and be it further

Resolved, That the Resources Agency of the State of California is requested to provide the necessary assistance to support efforts to develop a plan to solve the soil and water related problems of salinity; and be it further

Resolved, That the Resources Agency of the State of California is requested to make the correction of salinity a high priority by providing assistance and coordination in bringing together appropriate federal, state, and local agencies and affected private and public landowners in developing an effective, safe, and economical solution to the problem of salinity; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Agriculture, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of the Resources Agency of the State of California.

RESOLUTION CHAPTER 89

Assembly Joint Resolution No. 27—Relative to Social Security benefits.

[Filed with Secretary of State August 30, 1983]

WHEREAS, The people of the United States have come to rely upon the Social Security system for at least a portion of their retirement income; and

WHEREAS, The Social Security system was designed over 40 years ago, when typical marriages lasted a lifetime and consisted of a wage-earner husband and a homemaker wife; and

WHEREAS, Changing demographic patterns, including the increase of women in the labor force, the breaks in service in women's employment, and the increase in divorce rates, have occurred over recent years; and

WHEREAS, The economic needs of many of this nation's families require women to either return to the work force or to choose to remain homemakers and to bear full responsibility for maintaining the home and rearing their children, often at great financial sacrifice to the family; and

WHEREAS, There is no consideration built into the social security system for women who contribute to the family by working as homemakers; and

WHEREAS, There are also financial disincentives built into the social security system for two-earner families with respect to base Social Security benefits and survivor benefits; and

WHEREAS, The failure of the Social Security system to adapt to changing demographic trends has resulted in effectual discrimination against women who are homemakers and women who have entered the work force, and

WHEREAS, Sixty percent of this nation's nonworking women rely upon Social Security as their only income; and

WHEREAS, Fifty percent of Social Security recipients in 1980 were women; and

WHEREAS, This nation does not intend to foster discrimination of any kind on the basis of sexual gender; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to act decisively to eliminate the disparate impact between the sexes in the system; and be it further

Resolved, That the Legislature respectfully memorializes the President and Congress of the United States to build recognition into the Social Security system for the nation's homemakers; and be it further

Resolved, That the Legislature respectfully memorializes the President and Congress of the United States to eliminate the

financial disincentives of the Social Security system towards two-earner families; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor of the State of California, and to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each United States Senator and Member of the House of Representatives in the California delegation, and to the Commissioner of the Social Security Administration.

RESOLUTION CHAPTER 90

Assembly Joint Resolution No. 33—Relative to international trade.

[Filed with Secretary of State August 30, 1983]

WHEREAS, The people of California are major exporters and importers of goods and services among the states; and

WHEREAS, A significant proportion of the jobs in California depend indirectly and directly on international trade; and

WHEREAS, The future growth of the California economy will increasingly depend upon expanded international trade; and

WHEREAS, California is a leading state in the development of our Nation's high technology and agricultural industries; and

WHEREAS, California's trading strength is directly affected by national policies and agreements of the United States and other countries such as the General Agreement on Tariffs and Trade and the recent memorandum of Principles on High Technology Trade signed by the United States and Japan on February 9, 1983, and the approval of the Japanese Diet of an omnibus bill to revise 16 of that nation's standards and certification laws on May 18, 1983; and

WHEREAS, Despite the concerted efforts of the United States and its trading partners to reach agreement on trade policies, inconsistencies in the application and enforcement of multinational and bilateral trade agreements, particularly in the areas of agriculture, computers, semiconductors, and telecommunications, have unfairly hindered California businesses in their ability to participate fully in other countries' markets; and

WHEREAS, Due to gaps in international trade agreements with other countries, no adequate mechanism exists to ensure free and open trade in services and direct foreign investment; and

WHEREAS, An effective national trade policy must enable the United States to identify and analyze barriers to United States trade and provide the President with additional authority to take action against unjustifiable, unreasonable, or discriminatory restrictions which burden or restrict United States trade; and

WHEREAS, Legislation now pending in the House of

Representatives would make these elements part of national trade policy; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress, and the California delegation in particular, to support enactment of legislation which reflects the objectives of the "International Trade and Investment Act"; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the President of the United States to seek, through new and revised agreements with other countries, free and open trade and the goal of substantially equivalent commercial opportunities for United States exporters in the markets of other countries; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes Congress to enact legislation which will give the President authority to negotiate both bilateral and multilateral agreements in an effort to remove restrictive and discriminatory practices on trade in services and on foreign direct investment; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor of the State of California, and to the President and Vice-President of the United States, to the Speaker of the House of Representatives, to the President Pro Tempore of the United States Senate, to each Senator and member of the House of Representatives in the California delegation, to the United States Secretary of State, to the United States Secretary of Commerce, and to the United States Trade Representative.

RESOLUTION CHAPTER 91

Assembly Joint Resolution No. 41—Relative to cotton.

[Filed with Secretary of State August 30, 1983]

WHEREAS, California has adopted a cotton boll weevil eradication plan in the cotton growing areas of southern California along the Colorado River; and

WHEREAS, To date, the state has expended about $125,000 and is prepared to expend additional funds if necessary; and

WHEREAS, The cotton industry has contributed one-half million dollars of its funds to the eradication efforts; and

WHEREAS, The United States Department of Agriculture (U.S.D.A.) has not actively participated in the program; and

WHEREAS, The boll weevil will not be stopped unless there is full cooperation from U.S.D.A., Arizona, and Mexico; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the United States Department of Agriculture to take the leadership role in the boll weevil eradication effort in the cotton growing areas of southern California along the Colorado River by committing its manpower and resources to help California's cotton industry; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to each Senator and Representative from California in the Congress of the United States and to the United States Secretary of Agriculture.

RESOLUTION CHAPTER 92

Senate Joint Resolution No. 22—Relative to the National Oceanic and Atmospheric Administration.

[Filed with Secretary of State September 1, 1983]

WHEREAS, Farming and timber harvesting are critical industries to the nation's social and economic livelihood; and

WHEREAS, The storms and flooding of 1982 and 1983 have accounted for more than $300 million in crop losses to state farmers, with probable additional losses in the near future; and

WHEREAS, Those who earn their living through agriculture and forestry depend on accurate weather forecasting to plan every aspect of the production of food, fiber, and livestock; and

WHEREAS, The National Weather Service of the National Oceanic and Atmospheric Administration is necessary to protect life and property in California and the United States, and any reduction in current levels of service would endanger the public health and welfare; and

WHEREAS, The President has announced his plan to sell parts of the National Weather Service to private industry, including the federal government's four weather satellites and its three earth tracking stations now operated by the National Oceanic and Atmospheric Administration; and

WHEREAS, Proposed reductions in California include terminating the entire agricultural weather and fruit frost programs and substantially reducing the fire weather program; and

WHEREAS, These proposed terminations and staff reductions would seriously impact such important activities as prescribed burning, agricultural irrigation planning, and flood forecasting; and

WHEREAS, Consumers and growers alike depend upon fruit frost forecasts for timely meteorological data necessary for their prospective gardening and farming decisions; and

WHEREAS, In addition, under the proposed 1983 fiscal year

budget for the National Weather Service, traveling motorists would be without the free, up-to-the-minute weather information necessary for their safe journeys; and

WHEREAS, This policy would create confusion for those persons who depend on accurate weather forecasting in their business and among states and nations; and

WHEREAS, The General Accounting Office has rated the agricultural weather, fruit frost, and fire weather programs among the most cost-effective services provided by the National Weather Service; and

WHEREAS, Turning national weather forecasting into a private business would endanger those important aspects of the National Weather Service which might not be immediately seen as profitable; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That it is in the interest of each state and the United States to provide a centralized and dependable system to forecast weather through a federal program such as that of the National Weather Service of the National Oceanic and Atmospheric Administration; and be it further

Resolved, The President and Congress of the United States are respectfully memorialized to restore the agricultural weather, fruit frost, and fire weather programs to existing levels and, further, not to consider selling or otherwise disposing to private interests any part of the National Weather Service; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Administrator of the National Oceanic and Atmospheric Administration.

RESOLUTION CHAPTER 93

Assembly Concurrent Resolution No. 43—Relative to veterans' care.

[Filed with Secretary of State September 2, 1983]

WHEREAS, There are in the State of California approximately 1,280,000 veterans of World War II with an average age of 66; and

WHEREAS, The United States Veterans Administration estimates that the requirements of these aging veterans for geriatric care will increase each year until a peak demand is reached in the early 1990's; and

WHEREAS, The present Veterans Home of California at Yountville, in northern California, has been a model of care for older

veterans among the 41 state veterans homes in this country; and

WHEREAS, The majority of the funding for care at the home is provided through member fees and federal reimbursements; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Veterans Affairs is hereby requested to perform a study of the feasibility of establishing a second Veterans Home of California to be located in southern California; and be it further

Resolved, That it is the intent of the Legislature that the department expend no more than $40,000 in conducting the study and making the report requested by this measure; and be it further

Resolved, That the department report its findings and recommendations to the Legislature on or before January 1, 1985; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Veterans Affairs.

RESOLUTION CHAPTER 94

Assembly Concurrent Resolution No. 73—Relative to Exceptional Children's Week.

[Filed with Secretary of State September 2, 1983]

WHEREAS, Exceptional children and youth possess many traits, including superior intellectual abilities, creative talents, mental retardation, hearing impairments, including deafness and hardness of hearing, orthopedic handicaps, speech and severe oral language handicaps, visual handicaps, including blindness and partial sight, serious emotional disturbances, specific learning disabilities, or a combination of these conditions; and

WHEREAS, These exceptional children and youth require special education and related services; and

WHEREAS, There exists a need to inform the public more fully of the many and varied services and programs that are presently provided for, and needed by, children and youth with exceptional needs, and of the dedication of numerous persons involved in providing those necessary services; and

WHEREAS, It is appropriate to designate a period of time to take special note of the abilities and needs of exceptional children, and of the exemplary contributions being made by those who provide services to exceptional children; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the week of May 2 to May 8, 1984, and annually thereafter, is hereby designated as "Exceptional Children's Week"; and be it further

Resolved, That the Legislature encourages and urges the residents of California to continue developing their awareness of, and support for, the needs of exceptional children, and to observe this special week on an annual basis; and be it further

Resolved, That each school district in California is urged to schedule activities associated with "Exceptional Children's Week" and to encourage public participation in those events; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Council for Exceptional Children, and to the Superintendent of Public Instruction.

RESOLUTION CHAPTER 95

Assembly Concurrent Resolution No. 91—Relative to Drunk and Drugged Driving Awareness Week.

[Filed with Secretary of State September 2, 1983]

WHEREAS, The number one killer of Americans on the Nation's highways is drunk and drugged driving; and

WHEREAS, Driving when intoxicated is the most frequently committed violent crime in America, responsible for 55 percent of all highway fatalities in 1982, totaling over 24,000 deaths, resulting in more than 650,000 injuries and costing our economy 24 billion dollars; and

WHEREAS, Drunk driving related deaths dropped in 1982 by 11 percent; and

WHEREAS, A resolution declaring the week of December 11 through December 17, 1983, to be the "National Drunk and Drugged Driving Awareness Week" has passed the Senate of the United States and is now pending in the United States House of Representatives; and

WHEREAS, Continued public exposure is needed in order to ensure that the momentum gained in the battle against intoxicated driving does not slip away as society turns its attention to other pressing problems; and

WHEREAS, The Drunk and Drugged Driving Awareness Week will give us an opportunity to have massive news media coverage and publicize such fine programs as the "Dial-A-Ride" program and sobriety check points, aimed at raising public awareness to the serious risks of drunk and drugged driving; and

WHEREAS, The Drunk and Drugged Driving Awareness Week offers us an important opportunity to publicize the problem, assess our progress, and find further solutions to bring this tragic epidemic under control; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate

thereof concurring, That the week of December 11 through December 17, 1983, be set aside as the Drunk and Drugged Driving Awareness Week.

RESOLUTION CHAPTER 96

Assembly Joint Resolution No. 25—Relative to the Supplemental Security Income for the Aged, Blind, and Disabled program.

[Filed with Secretary of State September 2, 1983]

WHEREAS, Eligibility for aid under the federal Supplemental Security Income for the Aged, Blind, and Disabled program is determined in part upon the value of resources held by an applicant for or recipient of aid, excluding the value of the applicant's or recipient's home; and

WHEREAS, The proceeds from the sale of a home are similarly excluded from eligibility calculations only if applied within three months of receipt to the purchase of another home; and

WHEREAS, These restrictions create an undue hardship by jeopardizing eligibility for aid as to an applicant or recipient who carries a promissory note upon the sale of his or her home as an alternative to conventional financing, in that the total proceeds from such a sale are not immediately available for use in the purchase of another home; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States, the Secretary of Health, Education, and Welfare, and the Commissioner of Social Security to revise the Supplemental Security Income for the Aged, Blind, and Disabled program to exclude from considerations of eligibility for aid the value of any promissory note held by an applicant or recipient upon the sale of his or her home, provided that the proceeds from the note are expended within three months of receipt toward the purchase of another home or for rental of a principal residence; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of Health, Education, and Welfare, and to the Commissioner of Social Security.

RESOLUTION CHAPTER 97

Assembly Joint Resolution No. 26—Relating to the Santa Barbara marine area.

[Filed with Secretary of State September 2, 1983]

WHEREAS, In 1969, the Santa Barbara federal ecological preserve and buffer zone were established by then Secretary of Interior Walter Hickel to be reserved for scientific, recreational and other similar uses; and

WHEREAS, Pursuant to the Marine Sanctuaries Act of 1977, then Secretary of Commerce Philip Klutznick established, with the approval of President Carter, the Channel Island Marine Sanctuary to protect its ecological, esthetic, and recreational values; and

WHEREAS, In 1980, the Congress and President Carter established the Channel Islands National Park to protect its nationally significant natural, scenic, wildlife, marine, ecological, archaeological, cultural, and scientific values, and

WHEREAS, Both the Channel Islands Marine Sanctuary and the Santa Barbara Ecological Preserve and Buffer Zone are environmentally sensitive habitat areas, have nationally recognized esthetic and recreational values, and support valuable commercial fisheries; and

WHEREAS, The Channel Islands, surrounded by and partially included within the Channel Islands Marine Sanctuary, support 80 species of resident and migrant birds, provide breeding and pupping areas for five species of seals and sea lions, significant foraging and breeding areas for 13 bird species and contain the only stable breeding area for the California Brown Pelican, designated an endangered species by the California Department of Fish and Game pursuant to the California State Endangered Species Act of 1970; and

WHEREAS, These sanctuary, preserve, and buffer zone areas are biologically productive areas, contributing to the fisheries of the Santa Barbara Channel, and therefore the California commercial fishing industry; and

WHEREAS, Oil development and production within any of these three areas presents serious hazards to the ecological, esthetic, recreational, and commercial values of these areas and greatly increases the potential catastrophic damage to these resources in the event of an oil spill; and

WHEREAS, Oil development and production in these areas would have significant adverse impacts on the commercial fishing industry directly from physical interference during all stages of operations and indirectly from reduced biological productivity of the fisheries; and

WHEREAS, The installation of oil production platforms in these areas would reduce, on an individual as well as a cumulative basis, the esthetic and therefore recreational values of these areas, particularly

the Channel Islands National Park; and

WHEREAS, By federal policy and regulation, no leasing or oil development has occurred in any of the areas since their establishment; and

WHEREAS, Secretary of Interior James Watt has consistently attempted to reverse this longstanding policy; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California strongly urges the President and Congress of the United States to enact legislation which gives permanent, except in case of national need, statutory protection to the Santa Barbara ecological preserve and its adjunct, the buffer zone, and to the Channel Islands Marine Sanctuary; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior of the United States, to each United States Senator and Member of the House of Representatives in the California delegation, and to the chairperson of all committees which will review this legislation.

RESOLUTION CHAPTER 98

Assembly Joint Resolution No. 30—Relative to trucking.

[Filed with Secretary of State September 2, 1983.]

WHEREAS, The Congress of the United States recently passed, and the President signed, the Surface Transportation Assistance Act of 1982 (P.L. 97-424); and

WHEREAS, Under Title V of the act (known as the Highway Revenue Act of 1982), the federal taxes on trucks and semitrailers were increased eight-fold and the gasoline, diesel, and special motor fuel tax rates increased five cents ($0.05) per gallon; and

WHEREAS, The Legislature of the State of California enacted, and the Governor signed into law, an increase in weight fees on trucks, increasing the weight fee 60 percent, and added two cents ($0.02) per gallon to the fuel tax; and

WHEREAS, Truck carriers of agricultural products operate on a seasonal basis consisting of one or two quarters of the year; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to allow the truck carriers of agricultural products to pay the new federal highway fees enacted in the Highway Revenue Act of 1982, Title V of the Surface Transportation Act of 1982 (P.L. 97-424), on an apportioned quarterly basis; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the United States Department of Transportation, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 99

Assembly Joint Resolution No. 48—Relative to veterans exposed to Agent Orange.

[Filed with Secretary of State September 2, 1983.]

WHEREAS, The United States Veterans' Administration has recently announced that it is opposed to any proposal to grant compensation to any of the approximately 3,000 Vietnam veterans suffering illnesses that may be related to their exposure to the herbicide Agent Orange during their Vietnam duty more than a decade ago; and

WHEREAS, This defoliant chemical was sprayed extensively by United States forces in Vietnam between 1965 and 1971 to kill jungle growth concealing enemy movements, and its long-term effects were then unknown; and

WHEREAS, Extensive studies have shown a causal relationship between dioxin, a major component of Agent Orange, and three illnesses—a liver disorder, a skin condition, and a soft-tissue cancer; and

WHEREAS, This unreasonable attitude toward these 3,000 ill veterans is inconsistent with the government's recent decision to award compensation to the residents of Times Beach, Missouri, who have suffered dioxin contamination; and

WHEREAS, Legislation is pending before Congress which would award compensation, based on severity of illness, to these 3,000 suffering veterans; now, therefore, be it

Resolved by the Assembly and Senate of the State of California jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to support and enact legislation directing the United States Veterans' Administration to pay compensation to the estimated 3,000 Vietnam veterans who suffer from liver disorders, skin conditions, and soft-tissue cancer having a strong correlation to exposure to Agent Orange during their service in Vietnam; and be it further

Resolved, That the United States Veterans' Administration fulfill the intent of the Starbuck Memorandum dated April 3, 1980, which states that "given the considerable uncertainties as to the disposition of defoliants in Southeast Asia and troop positions at pertinent times,

the Veterans' Administration will accept, in the absence of positive evidence to the contrary, a Vietnam Veteran's Contention of Exposure," and with all due and deliberate speed will provide physical examinations to those veterans exposed to Agent Orange during the Vietnam War; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the United States Veterans' Administration.

RESOLUTION CHAPTER 100

Assembly Joint Resolution No. 52—Relative to the National Weather Service.

[Filed with Secretary of State September 2, 1983]

WHEREAS, It has come to the attention of the Members of the Legislature of the State of California that the President and his administration are considering selling portions of the National Weather Service, including weather satellites, to private industry; and

WHEREAS, Certain functions, such as national defense, law enforcement, protection of our borders, and weather analysis and forecasting are the responsibility of the government; and

WHEREAS, The National Weather Service and its Agricultural Weather Services, including Fire Weather and the Fruit Frost Forecast, rely upon a dependable uninterrupted flow of accurate data obtained from weather satellite pictures; and

WHEREAS, The National Weather Service is one of the strongest in the world, providing accurate and reliable weather information for public safety and commerce which has resulted in a significant reduction in violent weather deaths and savings of an estimated 750 million dollars per year in production costs for farmers; and

WHEREAS, Agriculture is the number one industry in California in terms of cash value and productivity, representing 15 billion dollars in gross production; and

WHEREAS, Agriculture in California and throughout the United States relies upon weather forecasts derived from satellite data to schedule planting, irrigation, fertilizing, harvesting, and pest control measures and to minimize damage due to adverse climate conditions; and

WHEREAS, The value of weather forecasting to California agriculture is in excess of 250 million dollars and benefits of the Fruit Frost Program in California are in excess of 70 million dollars; and

WHEREAS, The benefits of reliable Agricultural Weather Service

forecasting may be passed on to consumers in the form of lower food prices; and

WHEREAS, Reliable weather forecasting allows farmers to take measures to conserve water and energy; and

WHEREAS, Weather monitoring, data analysis, and forecasting require a well coordinated organization and the facilities to support that organization; and

WHEREAS, The operation of our weather satellites by a private, for-profit corporation would not insure reliable and uninterrupted service, and an interruption in data transmissions from weather satellites could result in poor forecasting with disastrous results; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to reconsider selling any part of the National Weather Service and, instead, to explore methods of making the service financially self-supporting; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 101

Assembly Joint Resolution No. 65—Relative to the water rights of areas of origin

[Filed with Secretary of State September 2, 1983.]

WHEREAS, The area of origin statutes were established by California to protect the future water needs of the areas where water originates in order to allow development and use of waters temporarily or permanently surplus to these areas by distant regions; and

WHEREAS, The area of origin statutes consist of the 1931 County of Origin Law, the 1933 Watershed Protection Act, and the 1959 Delta Protection Act; and

WHEREAS, Protections for the areas of origin have been included as conditions in all water rights issued by the state to the federal Central Valley Project; and

WHEREAS, The federal government, through the Department of the Interior, is now suing the state seeking to repudiate any obligation of the federal government to comply with the state's County of Origin Law, Watershed Protection Act, Delta Protection Act, and area of origin protections included in water right decisions

issued by the state to the federal Central Valley Project; and

WHEREAS, The federal government is also suing the state on the legal premise that the state's protections for areas of origin are unconstitutional, in that they violate the requirement in the California Constitution that water be used reasonably and beneficially; and

WHEREAS, A successful federal lawsuit to invalidate California's protections for areas of origin will have a devastating effect on the future economies and land values in the areas of origin; and

WHEREAS, The federal lawsuit to invalidate the state's protections for the areas of origin will eliminate any support in the areas of origin for the construction of any new federal water projects which propose to export water from the areas of origin; and

WHEREAS, The federal lawsuit to invalidate the state's protections for the areas of origin will eliminate any trust in California between the areas of origin and the areas of shortage and will therefore greatly impede any solution to California's long-range water problems; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully requests the Department of the Interior to drop its litigation against the State of California which seeks to invalidate the state's area of origin laws; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Commissioner of Reclamation, to the Attorney General of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 102

Senate Joint Resolution No. 6—Relative to the United States merchant marine.

[Filed with Secretary of State September 2, 1983]

WHEREAS, As of October, 1980 the privately owned deep-draft fleet of the United States merchant marine, excluding the national defense reserve fleet and Great Lakes vessels, totalled only 577 ships with a capacity of 21,023,200 deadweight tons, and additionally as of November 1980 there were only 40 new merchant marine ships of 1.5 million deadweight tons under construction or on order; and

WHEREAS, Experts in both military and civilian maritime circles have concluded that a United States flag fleet of this size is inadequate to meet the national security needs of the nation and its necessary peacetime capability; and

WHEREAS, President Reagan has indicated that he is very concerned about the decline in America's seapower posture and that a major goal of the United States must be to have a strong competitive and efficient merchant marine to meet the needs of our international commerce and national defense; and

WHEREAS, The building of a stronger merchant marine involves increased ship construction, a substantial increase in our nation's work force, and a greater ability to compete equally in international commercial shipping; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide necessary appropriations to be used specifically for the construction of new vessels for the United States merchant marine; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 103

Senate Joint Resolution No. 9—Relative to the relocation and internment of persons of Japanese ancestry.

[Filed with Secretary of State September 2, 1983.]

WHEREAS, On February 19, 1942, President Roosevelt issued Executive Order 9066 which resulted in the relocation and internment of persons of Japanese ancestry on the Pacific Coast; and

WHEREAS, In the spring of 1942, over 120,000 persons of Japanese ancestry, the majority of whom were American citizens, were involuntarily relocated and detained in military areas established for this purpose; and

WHEREAS, Those relocated suffered significant disruption of their lives, loss of individual freedom and personal dignity, as well as $400 million in property losses in 1942 as estimated by the Federal Reserve Bank; and

WHEREAS, The relocation and internment of persons of Japanese ancestry raises serious questions regarding violations of rights guaranteed by the Constitution of the United States; and

WHEREAS, On July 31, 1980, President Carter signed Public Law 96-317 establishing the Commission on the Wartime Relocation and Internment of Civilians to review the facts and circumstances surrounding the implementation of E.O. 9066; and

WHEREAS, In the summer and fall of 1980, the Presidential

Commission heard the testimonies of those whose lives were dramatically affected by E.O. 9066; and

WHEREAS, The Commission on Wartime Relocation and Internment of Citizens will be completing its investigation and submitting its findings to Congress in 1983; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to approve adequate monetary compensation to those individuals who suffered hardship as a result of Executive Order 9066; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 104

Senate Concurrent Resolution No. 36—Relative to the Blue Star Memorial Highway.

[Filed with Secretary of State September 6, 1983]

WHEREAS, The Blue Star Memorial Highway Program was adopted by the National Council of State Garden Clubs, Inc., as a living tribute to the men and women of the nation's armed forces; and

WHEREAS, It is fitting and appropriate that further recognition be accorded the many citizens who have sacrificed for our country; and

WHEREAS, The Blue Star Memorial Highway of California is sponsored by the Plumas Lassen District of California Garden Clubs, Inc., with the marker to be placed at the Almanor Roadside Rest; and

WHEREAS, State Highway Route 36 extends from Alton to Susanville; now, therefore, be it

Resolved, By the Senate of the State of California, the Assembly thereof concurring, That State Highway Route 36 be designated the Blue Star Memorial Highway; and be it further

Resolved, That the Department of Transportation be directed to determine the cost of appropriate plaques and markers, consistent with the signing requirements for the state highway system, showing this official designation and, upon receiving donations from private sources covering that cost, to erect those plaques and markers; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Director of Transportation, the Secretary of the

Business, Transportation and Housing Agency, and the Plumas Lassen District of California Garden Clubs, Inc.

RESOLUTION CHAPTER 105

Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 17 of Article XVI thereof, relating to public pension or retirement funds.

[Filed with Secretary of State September 8, 1983]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1983–84 Regular Session commencing on the sixth day of December, 1982, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the state be amended by amending Section 17 of Article XVI thereof, to read:

SEC. 17. The state shall not in any manner loan its credit, nor shall it subscribe to, or be interested in the stock of any company, association, or corporation, except that the state and each political subdivision, district, municipality, and public agency thereof is hereby authorized to acquire and hold shares of the capital stock of any mutual water company or corporation when the stock is so acquired or held for the purpose of furnishing a supply of water for public, municipal or governmental purposes; and the holding of the stock shall entitle the holder thereof to all of the rights, powers and privileges, and shall subject the holder to the obligations and liabilities conferred or imposed by law upon other holders of stock in the mutual water company or corporation in which the stock is so held.

Notwithstanding provisions to the contrary in this section and Section 6 of Article XVI, the Legislature may authorize the investment of moneys of any public pension or retirement system, subject to all of the following:

(a) The assets of a public pension or retirement system are trust funds and shall be held for the exclusive purposes of providing benefits to participants in the pension or retirement system and their beneficiaries and defraying reasonable expenses of administering the system.

(b) The fiduciary of the public pension or retirement system shall discharge his or her duties with respect to the system solely in the interest of, and for the exclusive purposes of providing benefits to, participants and their beneficiaries, minimizing employer contributions thereto, and defraying reasonable expenses of administering the system.

(c) The fiduciary of the public pension or retirement system shall discharge his or her duties with respect to the system with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims.

(d) The fiduciary of the public pension or retirement system shall diversify the investments of the system so as to minimize the risk of loss and to maximize the rate of return, unless under the circumstances it is clearly prudent not to do so.

RESOLUTION CHAPTER 106

Assembly Concurrent Resolution No. 40—Relative to health care services for disabled veterans.

[Filed with Secretary of State September 8, 1983]

WHEREAS, There are many disabled veterans in California living in areas not served by a United States Veterans' Administration hospital; and

WHEREAS, Many private medical facilities and doctors in those areas refuse to honor Veterans' Administration fee service connected basis cards in the treatment of disabled veterans because of the inordinate delays encountered in the payment process from the Veterans' Administration; and

WHEREAS, These same facilities and physicians often refuse to honor CHAMPUS and CHAMPVA authorizations for the same reasons; and

WHEREAS, This impasse has imposed a severe hardship on many disabled veterans in California, and has even resulted in many cases in the failure of veterans to receive proper health care services; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the State Department of Health Services and the Department of Veterans Affairs are requested to jointly take action to address the health care problems of disabled veterans by seeking the cooperation of health care services throughout the state in accepting Veterans' Administration fee basis and CHAMPUS and CHAMPVA authorizing actions and to explore alternative administrative actions by which disabled veterans may be treated at public health care facilities in California on a federal reimbursement basis; and be it further

Resolved, That the State Department of Health Services, after consultation with the Department of Insurance, report its findings, conclusions, and recommendations, including recommendations for legislation necessary to implement a solution to the problem of

health care for disabled veterans, to the Assembly Committee on Health and to the Senate Committee on Health and Welfare within six months of the date of enactment of this resolution.

RESOLUTION CHAPTER 107

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 4 of Article VII, relating to civil service exempt positions.

[Filed with Secretary of State September 8, 1983]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1983–84 Regular Session commencing on the sixth day of December, 1982, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the state be amended by amending Section 4 of Article VII thereof, to read:

SEC. 4. The following are exempt from civil service:

(a) Officers and employees appointed or employed by the Legislature, either house, or legislative committees.

(b) Officers and employees appointed or employed by councils, commissions or public corporations in the judicial branch or by a court of record or officer thereof.

(c) Officers elected by the people and a deputy and an employee selected by each elected officer.

(d) Members of boards and commissions.

(e) A deputy or employee selected by each board or commission either appointed by the Governor or authorized by statute.

(f) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's office, and the employees of the Lieutenant Governor's office directly appointed or employed by the Lieutenant Governor.

(g) A deputy or employee selected by each officer, except members of boards and commissions, exempted under Section 4(f).

(h) Officers and employees of the University of California and the California State Colleges.

(i) The teaching staff of schools under the jurisdiction of the Department of Education or the Superintendent of Public Instruction.

(j) Member, inmate, and patient help in state homes, charitable or correctional institutions, and state facilities for mentally ill or retarded persons.

(k) Members of the militia while engaged in military service.

(*l*) Officers and employees of district agricultural associations employed less than 6 months in a calendar year.

(m) The Chief Investment Officer, the Assistant Chief Investment Officer, and principal fund managers of the Public Employees' Retirement System and the State Teachers' Retirement System.

(n) In addition to positions exempted by other provisions of this section, the Attorney General may appoint or employ six deputies or employees, the Public Utilities Commission may appoint or employ one deputy or employee, and the Legislative Counsel may appoint or employ two deputies or employees.

RESOLUTION CHAPTER 108

Assembly Concurrent Resolution No. 48—Relative to the California State World Trade Commission.

[Filed with Secretary of State September 8, 1983]

WHEREAS, Agriculture is nearly a 14 billion dollar industry in California and the state's number one industry in terms of cash value and productivity; and

WHEREAS, Over 400,000 Californians are employed in agriculture and related industries; and

WHEREAS, California's farmers produce a unique variety of over 250 commercial products which in dollar value make California number one in the nation in agricultural production; and

WHEREAS, This diversity of production and the state's geographic distance from the nation's capital have frequently resulted in the subordination of California's agricultural interests to those other states; and

WHEREAS, These same factors appear to have contributed to an historic under-representation of California's agricultural interests at the highest levels of the federal government, including the Department of Agriculture, the Department of State, and the Office of the Special Trade Representative; and

WHEREAS, Exports of California's agricultural products can have a beneficial effect on the economy of the state and the balance of payments of the country; and

WHEREAS, California's agricultural exports are harmed by unfair agricultural export subsidies provided to members of the European Economic Community; and

WHEREAS, Resolution of international trade disputes involving agricultural issues have been required inordinately lengthy and time consuming proceedings under the procedures currently established by the General Agreement on Trade and Tariffs (GATT); and

WHEREAS, The California State World Trade Commission was

created for the purpose of expanding the international commerce of California's products; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the California State World Trade Commission make the export of California's agricultural products one of its highest priorities; and be it further

Resolved, That the commission strive to enhance the representation of California's agricultural industry at the highest levels of the federal government; and be it further

Resolved, That the commission urge the development of more expeditious procedures for resolving international disputes over agricultural trade; and be it further

Resolved, That the commission analyze current barriers that exist to the enhancement of international trade in California agricultural products and recommend appropriate state and federal policies to overcome these barriers; and be it further

Resolved, That the commission report to the appropriate committees of the Legislature on or before September 1 of each year regarding the extent of its activities with respect to California agricultural exports and the effectiveness of these activities on expanding the world trade of these products, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the California State World Trade Commission.

RESOLUTION CHAPTER 109

Assembly Concurrent Resolution No. 53—Relative to public health.

[Filed with Secretary of State September 8, 1983]

WHEREAS, Maintaining the public health is one of the state's primary responsibilities; and

WHEREAS, The state is closely involved in the financing, regulation, management, and operation of public health programs, health care facilities, and health services; and

WHEREAS, The field of public health is a fast-changing area involving complex medical, economic, legal, and social issues and requiring constant study, research, and exchange of information; and

WHEREAS, Access to current information, research, and expertise in this field, including information about innovative activities in other states and nations, is crucial to maintaining the state's preeminent role in public health; and

WHEREAS, Traditionally, the schools of public health at the universities of California have often been the best at providing health information and services and the best at conducting health research for the state; and

WHEREAS, The University of California at Berkeley, the University of California at Los Angeles, and the University of Hawaii, have established, under the aegis of their respective schools of public health, a nonprofit corporation called the Western Consortium for the Health Professions, Inc.; and

WHEREAS, The consortium's mission is to improve public health by conducting joint educational, research, and service activities; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the Legislature endorses the goals of the Western Consortium for the Health Professions, commends the universities and their schools of public health for establishing the consortium, and recommends that the Department of Health Services make its best efforts to support the activities of the consortium; and be it further

Resolved, That the Western Consortium for the Health Professions, Inc., be considered an appropriate recipient for any funds which the Governor, the Legislature, or the State Department of Health Services may make available for the purpose of improving public health through educational, research, or service activities; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, the State Department of Health Services, the Regents of the University of California, the President of the University of Hawaii, and the Western Consortium for the Health Professions, Inc.

RESOLUTION CHAPTER 110

Assembly Joint Resolution No. 19—Relative to telephone service.

[Filed with Secretary of State September 8, 1983]

WHEREAS, Changes in national policy have evolved in an effort to accommodate competition in the telephone and communications industries; and

WHEREAS, This change in policy has resulted in court rulings instituting a process of divestiture for the American Telephone and Telegraph Company which will result in the creation of independent regional telephone corporations such as Pacific Telephone Company with responsibility for providing local telephone service; and

WHEREAS, The ability of these local telephone corporations to continue providing quality universal basic telephone service at affordable rates not only presently but also in the future is in question; and

WHEREAS, The continued furnishing of quality universal basic telephone service at affordable rates for all Americans is essential in

the maintenance of a sound economy and for the safety and well-being of the people; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and Congress of the United States are respectfully memorialized to direct the Federal Communications Commission to review the effects of the American Telephone and Telegraph Company divestiture rulings and related policies and decisions upon the ability of local telephone corporations such as Pacific Telephone Company to provide quality universal basic telephone service at affordable rates and to take such action as is necessary to protect the financial integrity of local telephone corporations including their continued ability to provide basic services at affordable rates; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Federal Communications Commission.

RESOLUTION CHAPTER 111

Assembly Concurrent Resolution No. 37—Relative to sex discrimination.

[Filed with Secretary of State September 12, 1983]

WHEREAS, Both federal and California law have been extended to protect specific groups of people from employment discrimination based on sex, race, color, religion, national origin, pregnancy, age, and physical handicap; and

WHEREAS, Discrimination is prohibited in hiring, promotion, discharge, compensation, job assignments, and any other terms, conditions, or privileges of employment; and

WHEREAS, Equal pay for equal work is also mandated by federal and state law; and

WHEREAS, In 1955 a working woman took home 64¢ for every dollar earned by a man, current figures from the federal government's Bureau of Labor Statistics place the female pay at 59 ¢ for every dollar earned by a male; and the Federal Census Bureau's report in July 1982 placed the amount at 57¢ for every dollar earned by a male, with the median weekly income for a female working full time being $171, while the median for a male is $300; and

WHEREAS, The Fair Employment Practices Act was passed in 1959 prohibiting discriminatory employment practices; and

WHEREAS, The Fair Employment Practices Act created the State Division of Fair Employment practices and the State Fair Employment Practice Commission, and these two agencies were

subsequently replaced by the Department of Fair Employment and Housing and the Fair Employment and Housing Commission to handle investigatory and administrative functions respectively; and

WHEREAS, The Commission on the Status of Women held hearings in five cities in 1981 and found evidence of pay inequities affecting women workers in both the public and private sectors and the need to seek solutions to the problem of pay inequities for women workers with the concept of comparable worth with equal pay for work of equal value being the special focus of those hearings; and

WHEREAS, The hearings resulted in nine volumes of testimony and supporting documentation, a unique overview of the wage gap from a wide range of perspectives; and

WHEREAS, The Department of Personnel Administration is required by law to issue an annual report on pay inequities for women employed in state service in female-dominated jobs; and

WHEREAS, The Legislature has established a policy of correcting such inequities; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Commission on the Status of Women is hereby requested to annually submit to the Legislature its findings and recommendations on the existence of and solutions to the problem of pay inequities for women workers, including specifically the implementation of the principle of comparable worth in both the public and private sectors; and be it further

Resolved, That the Commission on the Status of Women is hereby requested to formally review and comment on the findings and conclusions of the Department of Personnel Administration submitted to the Legislature pursuant to Section 19827.2 of the Government Code and to periodically provide the department with its findings and recommendations on the existence of and solutions to the problem of pay inequities for women workers in state government; and be it further

Resolved, That the Commission on the Status of Women is hereby requested to establish a statewide task force on equal pay for work of equal value, to address the elimination of pay inequities for women workers in the private sector, to identify barriers and impediments to full implementation of the principle of equal pay for work of equal value in the California workplace, to propose and evaluate solutions for eliminating employment inequities for women workers in California and to provide the Legislature with recommendations on needed changes in California law to reduce wage discrimination in the public and private sectors. Nothing in this measure shall restrict the task force from addressing all facets relating to the subject of equal pay for equal value; and be it further

Resolved, That the members of the task force shall consist of a Member of the Assembly appointed by the Speaker of the Assembly, a Member of the Senate appointed by the Senate Rules Committee, two public members appointed by the Speaker of the Assembly, two

public members appointed by the Senate Rules Committee, three public members appointed by the Governor, and two public members appointed by the Commission on the Status of Women. The appointees shall include representatives from all affected and interested groups, including labor, corporate management, small business, academic, legal and legislative representatives. The members of the task force shall serve without compensation, except that they shall receive their actual and necessary expenses, incurred in the performance of their duties and responsibilities, including traveling expenses; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Chairwoman of the Commission on the Status of Women.

RESOLUTION CHAPTER 112

Assembly Joint Resolution No. 31—Relative to school lands and lieu lands.

[Filed with Secretary of State September 12, 1983]

WHEREAS, In 1853 the State of California was granted over 5 million acres of school lands from the federal government as representative sections of public lands within the state for the support of its public schools; and

WHEREAS, Of that amount, 108,185 acres are still owed to the state as indemnity lands; and

WHEREAS, It has been determined by the Supreme Court of the United States that Congress intended California, as well as other states, to receive lands which fairly represented the value of lands within it; and

WHEREAS, Due to the policies of the federal government, the efforts of the State Lands Commission to select representative lands has been largely unsuccessful; and

WHEREAS, Secretary of the Interior James Watt has emphasized the high priority which the current administration places on the fulfillment of this pledge to the state by the federal government; and

WHEREAS, In order for the state to receive the value of the representative lands originally granted to it and to support its public schools appropriately, it is necessary that it be reimbursed for the loss of its representative lands including producing minerals lands; and

WHEREAS, The reduction in the small amount of land available for indemnity selection is frustrating the ability of California to select lands which will compensate it for its lost lands; and

WHEREAS, The state has exhausted every administrative effort to effectuate the resolution of this outstanding debt; and

WHEREAS, The State of California would benefit materially if the

obligation owed to it by the federal government were completely fulfilled; now, therefore, be it

Resolved, by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Secretary of the Interior to honor the longstanding debt to the State of California by taking all actions necessary to make producing mineral lands available for selection by California to replace lost school lands of the same character; and by making available for selection lands that have been or may be declared surplus or otherwise been made available for sale, exchange, or other disposition; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Secretary of Interior, the Director of the Bureau of Land Management, and to the California State Lands Commission.

RESOLUTION CHAPTER 113

Assembly Joint Resolution No. 61—Relative to agriculture.

[Filed with Secretary of State September 12, 1983.]

WHEREAS, Agriculture is a $15 billion industry in California and the state's number one industry in terms of cash value and productivity; and

WHEREAS, Over one million Californians are employed in agriculture and related industries; and

WHEREAS, The Payment-In-Kind (P.I.K.) program commodities, including feed grain, rice, wheat, and upland cotton, are major economic crops in California agriculture; and

WHEREAS, 187 million acres were enrolled in the United States Department of Agriculture P.I.K. program nationwide; and

WHEREAS, The P.I.K. program plays a valuable role in balancing the supply of some agricultural commodities with demand; and

WHEREAS, The P.I.K. program may improve market conditions for some agricultural commodities by successfully reducing excess stocks of those commodities nationwide; and

WHEREAS, The P.I.K. program has seriously affected businesses including seed, fertilizer, agricultural equipment, aerial applicator, and irrigation and water businesses; and

WHEREAS, In California, 3,341,919 acres of feed grain, rice, wheat, and cotton were enrolled in acreage reduction, land diversion, or the P.I.K. program, and 1.5 million acres were taken out of production for 1983; and

WHEREAS, It is estimated that at least 60,000 jobs will be lost in agriculturally related industries nationwide due directly to the P.I.K. program; and

WHEREAS, The near maximum enrollment in the P.I.K. program

was unanticipated; and

WHEREAS, The likely impact of the P.I.K. program has not been thoroughly studied; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature respectfully memorializes the Congress of the United States to review the United States Department of Agriculture Payment-In-Kind program and its impact on agriculture and especially agriculturally related industries, and to consider credit assistance for businesses in agriculturally related industries that are experiencing severe financial losses due directly to the P.I.K. program; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the members of the committees on agriculture in both the United States Senate and the House of Representatives, to the United States Secretary of Agriculture, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 114

Assembly Joint Resolution No. 62—Relative to small business.

[Filed with Secretary of State September 12, 1983]

WHEREAS, Small business is the backbone of the nation's economy, providing the majority of jobs and product innovations in the private sector, and producing over half of all goods and services; and

WHEREAS, Renewed economic prosperity depends upon the strength of the small business sector; and

WHEREAS, The economic climate for small business has worsened, resulting in increasing numbers of small business failures, and their increasing difficulty in obtaining financing from traditional sources; and

WHEREAS, Small businesses need access to new, alternative sources of capital; and

WHEREAS, The Small Business Participating Debenture constitutes a new financing instrument which will promote investment in small business, and provide needed capital to small firms with potential for growth and employment; and

WHEREAS, The establishment of the Small Business Participating Debenture was a priority of both the White House Conference on Small Business and the California State Conference on Small Business; and

WHEREAS, California's Small Business Participating Debenture tax benefits will be a more effective incentive to investment if there are federal benefits, due to the difference between federal and state taxation levels; and

WHEREAS, California has legislation prepared to match the federal Small Business Participating Debenture, pending Congressional action; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact S. 842 by Senator Weicker establishing the Small Business Participating Debenture; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 115

Assembly Joint Resolution No. 84—Relative to Soviet violence and aggression.

[Filed with Secretary of State September 12, 1983]

WHEREAS, The Legislature of the State of California vigorously condemns the Union of Soviet Socialist Republics for the unprovoked and cowardly attack upon Korean Air Lines Flight 007 which resulted in the deaths of 269 innocent civilian passengers and crew; and

WHEREAS, The Legislature hereby offers its deepest sympathies to the families of the victims of this despicable attack; and

WHEREAS, The Legislature urges the United States Government to publicly reiterate its commitment of solidarity with the government and people of the Republic of Korea whose aircraft was unjustifiably attacked by the military forces of the Soviet Union; and

WHEREAS, The Legislature of the State of California condemns this despicable violation of human rights by the Soviet Union and publicly expresses its revulsion against the Soviet Union for this act of violence; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to formally condemn the Soviet Union for its willful breach of international law and treaty obligations arising from the attack on the Korean Air Lines aircraft, to seek the imposition of appropriate sanctions against the Soviet Union by the world community, and to urge the Security Council and General Assembly of the United Nations to take whatever actions are necessary to express the world's sorrow and indignation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of

this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 116

Senate Concurrent Resolution No. 11—Relative to commercial vehicle weight fees.

[Filed with Secretary of State September 12, 1983]

WHEREAS, The Legislature has established the schedule of weight fees for commercial vehicles; and

WHEREAS, These weight fees are required to be deposited in the State Highway Account in the State Transportation Fund so that they may be used for the reconstruction and rehabilitation of streets and highways damaged as a result of their use by heavy vehicles; and

WHEREAS, The damage to roadways by heavy vehicles is more closely related to the vehicles' loaded, rather than unladen, weight and this damage increases exponentially as a result of increased vehicle axle weights; and

WHEREAS, The Legislature wishes to apply commercial vehicle weight fees on a gross vehicle weight basis to ensure that classes of heavy vehicles pay their appropriate share of costs to repair and reconstruct streets and highways; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Motor Vehicles is hereby requested to collect and analyze data relative to the gross weight of commercial vehicles registered in this state and operated intrastate and interstate; and be it further

Resolved, That the study shall include the development of fee schedules based upon the laden operation of commercial vehicles rather than the current unladen weight fee schedule and that these fee schedules ensure that the total fees which would be collected under a laden weight fee method would be at least equal to the fees currently collected; and be it further

Resolved, That the department may develop alternate fee assessment strategies that address laden operation of commercial vehicles; and be it further

Resolved, That the study also identify related changes in law and administrative actions which would be required to implement the collection of commercial vehicle fees under a system other than the current unladen weight fee system; and be it further

Resolved, That other departments and agencies shall cooperate and provide assistance upon the request of the Department of Motor Vehicles, as necessary for completing its study; and be it further

Resolved, That the Department of Motor Vehicles is requested to submit an interim progress report to the Legislature not later than January 15, 1984, and a final report not later than June 1, 1984, containing the data and information requested by this resolution; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Director of Motor Vehicles.

RESOLUTION CHAPTER 117

Senate Concurrent Resolution No. 30—Relative to weights and measures.

[Filed with Secretary of State September 12, 1983.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislative Analyst conduct a study of the activities of county sealers of weights and measures and the Department of Food and Agriculture in carrying out the duties required by Division 5 (commencing with Section 12001) of the Business and Professions Code. The study shall ascertain to the extent possible the most critical features of the program, such as the personnel years and salary schedules, the frequency of device inspections, the costs of each activity, the total costs for administration, both direct and indirect, the total dollar expense, and the source of funding for 1981 and 1982 compiled by county and summarized statewide, based on reasonable cost procedures, such as Management and Budget Circular A-87; and be it further

Resolved, That, in conducting the study, the Legislative Analyst may selectively employ the use of written questionnaires and interviews along with review of available data; and be it further

Resolved, That the Legislative Analyst report his findings and recommendations, including recommendations on alternative methods of funding, to the Legislature by April 30, 1984; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Legislative Analyst.

RESOLUTION CHAPTER 118

Senate Joint Resolution No. 12—Relative to the Space Station Program.

[Filed with Secretary of State September 12, 1983]

WHEREAS, The Space Station Program is a natural extension of NASA's Space Transportation System, from which station interorbital and interplanetary manned expeditions will depart to establish outposts on our moon and on Mars; and

WHEREAS, The Space Station Program will allow for extensive orbital materials processing facilities, expanded communications, and improved observations of earth; and

WHEREAS, The Space Shuttle is constructed by California aerospace engineering expertise, and California will soon have full launching and landing operations capabilities for the shuttle; and

WHEREAS, California industry and labor have the demonstrated ability to substantially contribute to the development of a space station program; and

WHEREAS, The University of California and its California Space Institute have well-developed space scientist teams; and

WHEREAS, California's strategic position on the Pacific rim places it in substantial trade relationships with other nations of the world, which will cooperate in the Space Station Program; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States, and requests the National Aeronautics and Space Administration, to commit to a Space Station Program utilizing the Space Transportation System, with the goal of manned operations before 1990, and to enlist California industry in the production and operations of the program; and be it further

Resolved, That the Chief Clerk of the Senate transmit copies of this resolution to the President and Vice President of the United States, to each Senator and Representative from California in the Congress of the United States, and to the Administrator of the National Aeronautics and Space Administration.

RESOLUTION CHAPTER 119

Senate Concurrent Resolution No. 16—Relative to fish.

[Filed with Secretary of State September 14, 1983]

WHEREAS, Historic runs of anadromous fish in the San Francisco Bay, San Pablo Bay, and the Sacramento-San Joaquin Delta have been depleted by man's activities, and

WHEREAS, State agencies, including the Department of Water Resources, the Department of Fish and Game, and the State Water Resources Control Board have overlapping duties which affect the anadromous fish run, now, therefore, be it

Resolved by the Senate of the State of California, the Assembly

thereof concurring, That it is the policy of the State of California, which is executed and administered by the Department of Water Resources, the Department of Fish and Game, and the State Water Resources Control Board, to restore anadromous fish runs in the San Francisco Bay, the San Pablo Bay, and the Sacramento-San Joaquin Delta to historic levels without adversely affecting existing commercial and recreational fisheries and water rights permits and licenses, and be it further

Resolved, That the Department of Fish and Game shall, using the best method of its choosing, record the names and addresses of each purchaser of a fishing license, within existing budgetary constraints, commencing July 1, 1984; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Secretary of the Resources Agency and to the Director of Water Resources, the Director of Fish and Game, and to each member of the State Water Resources Control Board.

RESOLUTION CHAPTER 120

Senate Concurrent Resolution No. 40—Relative to Taiwan, the Republic of China.

[Filed with Secretary of State September 14, 1983]

WHEREAS, The sister city-state concept was inaugurated by the President of the United States in 1956 to establish greater friendship and understanding between the people of the United States and other nations through the medium of direct personal contact; and

WHEREAS, All succeeding United States Presidents have endorsed this program conducted for the broad purpose of exchanging ideas between the citizens of the State of California, the United States, and the peoples of other nations; and

WHEREAS, The people of Taiwan, like the people of the State of California and the United States, generally, have overcome great adversity and have built a successful, prosperous, free economy; and

WHEREAS, The Republic of China has been one of the most faithful allies of the United States since 1941; and

WHEREAS, Strong commercial ties now exist between the citizens of the Province of Taiwan and the citizens of the State of California; and

WHEREAS, The people-to-people program initiated by President Eisenhower in 1956 and endorsed by President Kennedy in 1961 was designed to bring the people of the world closer together in the interest of peace and prosperity; and

WHEREAS, A sister-state relationship between Taiwan and California is in the best interest of a cooperative relationship between the two states involved; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature, on behalf of the people of the State of California, extends to the people of Taiwan (the Republic of China) through the Provincial Legislature of Taiwan, an invitation to join California as a sister state and to conduct mutually beneficial social, economic, educational, and cultural programs in order to bring our citizens closer together and strengthen international understanding and good will; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to Lee Teng-Hui, Governor of Taiwan, Kao Yu-Jen, Speaker of the Provincial Legislature of Taiwan, Nieh Wen-Ya, President of the Legislative Yuan, Republic of China, George Deukmejian, Governor of California, each member of Congress from the State of California and to the presiding officers of the legislative houses of the other states of the Union.

RESOLUTION CHAPTER 121

Assembly Concurrent Resolution No. 25—Relative to statewide dental health task force.

[Filed with Secretary of State September 15, 1983.]

WHEREAS, The reduction of the incidence of tooth decay is of major importance to the entire State of California; and

WHEREAS, Dental disease is a dreaded affliction; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, as follows:

(1) The Statewide Dental Health Task Force is hereby created, authorized, and directed to investigate, study, analyze, and make recommendations on how to reduce the incidence of dental decay, gum disease, and other dental afflictions, with particular emphasis on preventive methods and cost-effectiveness.

(2) It is the intent of the Legislature that the task force shall reflect a diversity of knowledge in pertinent areas, including, among other professional specialists, the dental, medical, biochemical, nutritional, epidemiological, and engineering fields.

(3) With respect to the review of systemic and dietary fluorides and dental health procedures, it is the further intent of the Legislature that the task force shall consider all relevant medical, ethical, scientific, and financial issues presented to the task force by any group or individual including potential health effects on particularly vulnerable groups such as the elderly and the undernourished.

(4) The task force shall consist of three members appointed by the Senate Rules Committee, three members appointed by the Speaker

of the Assembly, and the State Director of Health Services or the director's representative. None of the members of the task force shall be involved with the production or have a financial interest in a business enterprise that primarily engages in the sale or marketing of fluoride or any other dental products, or derive a financial benefit, distinguishable from the benefit on the public generally, as a result of the implementation of any of the task force's recommendations.

(5) Members of the task force shall be paid their actual and reasonable travel and personal expenses incurred in performing their duties.

(6) The task force shall submit its report to the Legislature on or before January 1, 1985, and shall terminate at that time.

(7) The Joint Rules Committee may make such money available from the Contingent Funds of the Assembly and Senate as it deems necessary for the expenses of the task force and its members. In accordance with Joint Rule 36.8, any such expenditure of funds shall be made in compliance with policies set forth by the Joint Rules Committee and shall be subject to the approval of the Joint Rules Committee; and be it further

Resolved, That the Legislative Analyst shall estimate the costs and savings associated with each recommendation of the task force and report its findings to the Legislature on or before April 1, 1985; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the State Director of Health Services and the Legislative Analyst.

RESOLUTION CHAPTER 122

Assembly Concurrent Resolution No. 27—Relative to county health services.

[Filed with Secretary of State September 15, 1983]

WHEREAS, The Legislature enacted provisions pursuant to Chapters 328, 329, and 1594 of the Statutes of 1982, which make extensive changes in the Medi-Cal program; and

WHEREAS, One of the areas of reform enacted pursuant to these provisions was to eliminate from participation in the Medi-Cal program, commencing January 1, 1983, most medically indigent adults; and

WHEREAS, Responsibility for providing services to these adults has been transferred to the counties; and

WHEREAS, The provision of health services to medically indigent adults by counties is taking place without a clear understanding on a timely basis of the impact upon the number of persons served, accessibility to services, and types and levels of services provided;

now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature directs the Legislative Analyst, in consultation with the State Department of Health Services and the County Supervisors Association of California, to:

(1) Report to the Legislature on Section 17000 of the Welfare and Institutions Code with respect to eligibility, services, estimated costs and utilization, contained in county supplemental budgets submitted to the State Department of Health Services for inclusion in the agreement between the state and counties for the disbursement of funds from the Medically Indigent Services Account created by Chapters 328 and 1594 (Statutes of 1982).

(2) Evaluate the reporting system established by the Department of Health Services pursuant to Sections 16700 and 16716 of the Welfare and Institutions Code to determine if the system can generate reports for review by the Legislature with respect to at least the following matters: (a) Timeliness for the budget process; (b) capacity to measure frequency of use of health services by eligible persons, by type of service; and (c) capacity to measure access to services by eligible persons with respect to location of facilities, comprehensiveness of service available at facilities, and transportation times and modes; and be it further

Resolved, That the Legislative Analyst, in consultation with the State Department of Health Services, submit its findings to the Legislature by September 30, 1983, with suggested recommendations if necessary for improving the reporting system, based on criteria set forth in paragraph (2).

RESOLUTION CHAPTER 123

Assembly Concurrent Resolution No. 62—Relative to a study by a panel of the funding and benefit structure of the State Teachers' Retirement System.

[Filed with Secretary of State September 15, 1983.]

WHEREAS, It is in the best interest of the people of the State of California that the State Teachers' Retirement System be on a sound fiscal basis; and

WHEREAS, The present method of funding the system is insufficient to finance the ongoing costs of the system or to reduce the system's present actuarial liability; and

WHEREAS, Numerous factors, such as earlier retirement, longer life expectancies, increasing teacher salaries, and inflation, are continually increasing the cost of the program; and

WHEREAS, Certain State Teachers' Retirement System program benefits, such as the annual cost-of-living increases, are inadequate;

and

WHEREAS, Various critics have asserted that certain program benefits, such as the disability program, are excessive; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That a special panel be formed to study the funding and benefit structure of the State Teachers' Retirement System. The panel would consist of the Chairman of the Assembly Committee on Public Employees and Retirement or a committee member appointed by the chairman, the Chairman of the Senate Committee on Public Employment and Retirement or a committee member appointed by the chairman, the Chairman of the Teachers' Retirement Board, one active member of the State Teachers' Retirement System, who is a member of the Teachers' Retirement System, who is a member of the Teachers' Retirement Board and appointed by the chairman of the board, two retirants of the system appointed by the Governor, the State Director of Finance or a person designated by the director, two members appointed by the Governor, one of whom shall represent the public, one active member of the State Teachers' Retirement System appointed by the Speaker of the Assembly from nominations submitted by organizations representing teachers or administrators, one active member of the State Teachers' Retirement System appointed by the President pro Tempore of the Senate from nominations submitted by organizations representing teachers or administrators; and a school board member appointed by the State Superintendent of Public Instruction. The objective of the study would be to develop reform legislation for introduction during the 1984 legislative year, that would assure active and retired members of the State Teachers' Retirement System an adequate retirement program, funded on a sound actuarial basis. It is the intent of the Legislature that all costs incurred pursuant to this measure shall be paid by the State Teachers' Retirement System. The panel shall submit a preliminary report to a joint meeting of the Assembly Committee on Public Employees and Retirement and the Senate Committee on Public Employment and Retirement in March 1984, and a final report to the Legislature and the Governor by December 1, 1984.

RESOLUTION CHAPTER 124

Assembly Concurrent Resolution No. 92—Relative to recognizing 1983 as the "Year of the Bible".

[Filed with Secretary of State September 15, 1983]

WHEREAS, No document has had a more profound effect on the moral fabric of American society than the Bible, which has formed

the basis of our laws, our national character, and our value systems; and

WHEREAS, Many of our greatest national leaders—among them Presidents Washington, Jackson, Lincoln, and Wilson—have recognized the influence of the Bible on our country's development; the plainspoken Andrew Jackson referred to the Bible as no less than "the rock on which our Republic rests"; and

WHEREAS, Deep religious beliefs stemming from the Old and New Testaments of the Bible inspired many of the early settlers of our country, providing them with the strength, character, convictions, and faith necessary to withstand great hardship and danger in this new and rugged land; and

WHEREAS, These shared beliefs helped forge a sense of common purpose among the widely dispersed colonies—a sense of community which laid the foundation for the spirit of nationhood that was to develop in later decades; and

WHEREAS, The Bible and its teachings helped form the basis for the Founding Fathers' abiding belief in the inalienable rights of the individual, rights which they found implicit in the Bible's teachings of the inherent worth and dignity of each individual; and

WHEREAS, For centuries, the Bible's emphasis on compassion and love for our neighbor has inspired institutional and governmental expressions of benevolent outreach such as private charity and the establishment of schools and hospitals; and

WHEREAS, The attitudes we have as people united together, caring for each other, committed to freedom, holding high the dignity of each person, we derived from the teachings of the Bible; and

WHEREAS, Our elected leadership in the Congress has recognized the rightful place of the Bible in America by jointly resolving that the President should declare the year 1983 as the "Year of the Bible," and on the third day of February 1983, President Reagan signed such a proclamation; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby recognizes the year 1983 as the "Year of the Bible," calls upon the people of California, each according to his or her faith, to seek anew the treasure of wisdom found in the pages of the Bible; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the author for appropriate distribution.

RESOLUTION CHAPTER 125

Assembly Joint Resolution No. 18—Relative to Aid to Families with Dependent Children—working mothers.

[Filed with Secretary of State September 15, 1983]

WHEREAS, Ninety percent of all people on welfare are women and children; and

WHEREAS, Sixty-four percent of all families headed by women in California are dependent on the Aid to Families with Dependent Children (AFDC) program; and

WHEREAS, A woman, on the average, earns less than sixty cents for every dollar earned by a man; and

WHEREAS, Over two-thirds of all the fully employed women in the United States earn less than ten thousand dollars per year; and

WHEREAS, The systematic reduction in work incentives hits hardest at the families whose earnings are at or near the minimum wage and whose work efforts should be supported rather than discouraged; and

WHEREAS, A recent study has described the reduction of work incentives as counterproductive because the government may ultimately have to increase welfare payments to a mother who curtails her work effort; now, therefore, be it

Resolved, By the Assembly and Senate of the State of California jointly, That the Legislature hereby memorializes the President and Congress of the United States to repeal changes made by the federal Omnibus Budget Reconciliation Act of 1981 which reduce the incentive for mothers who are covered by the Aid to Families with Dependent Children (AFDC) program to work.

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 126

Assembly Joint Resolution No. 80—Relative to the assassination of Benigno S. Aquino, Jr.

[Filed with Secretary of State September 15, 1983]

WHEREAS, The United States of America is committed to the protection of human rights throughout the world and especially among its political and military allies; and

WHEREAS, The assassination of Benigno S. Aquino, Jr., a leading figure in the effort to restore through nonviolent means human

rights, democracy, and constitutional rule to the Republic of the Philippines, is a devastating blow to the establishment of a free and open Filipino society and a loss to our world community; and

WHEREAS, All Californians, including more than 600,000 Californians of Filipino descent, equal to 40 percent of the nation's Filipino population, are revolted by the assassination of Benigno Aquino under circumstances which demand, in the name of justice, a full and independent investigation of this heinous act; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California urges the government of the United States of America to use every diplomatic and political tool at its disposal to ensure that those responsible for the death of Benigno Aquino are brought to justice; and be it further

Resolved, That the President of the United States is respectfully requested to postpone his planned visit to the Philippines until the murderers of Benigno Aquino are brought to justice, the safety of the President is guaranteed by the government of the Republic of the Philippines, and steps are taken to restore democracy to the Filipino nation; and be it further

Resolved, That the Legislature of the State of California expresses its deepest condolences to the family of Benigno Aquino and to the Filipino people; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative, to each Senator and Representative from California in the Congress of the United States, to the President of the Republic of the Philippines, and to members of the immediate family of Benigno S. Aquino, Jr.

RESOLUTION CHAPTER 127

Assembly Concurrent Resolution No. 49—Relative to the creation of the Joint Study Committee on Workers' Compensation.

[Filed with Secretary of State September 16, 1983]

WHEREAS, The existing workers' compensation system contains certain inequities and is in need of study; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, as follows:

1. The Joint Study Committee on Workers' Compensation is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the adequacy and equity of the workers' compensation benefit provisions, the court cases and previous legislation, or lack thereof, relating thereto, and the impact of the

self-insured and legally uninsured programs on the worker's compensation system, including, but not limited to, the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the nine members of the Senate Committee on Industrial Relations and the nine members of the Subcommittee on Workers' Compensation of the Assembly Committee on Finance and Insurance. The chairman of the committee shall be the chairman of the Subcommittee on Workers' Compensation of the Assembly Committee on Finance and Insurance, and the vice chairman of the committee shall be the chairman of the Senate Committee on Industrial Relations. The principal consultant to the committee shall be the principal consultant of the Senate Committee on Industrial Relations. Additional staff may be employed by the committee.

3. The committee is authorized to act during this session of the Legislature, including any recess, until November 30, 1984, with authority to file its final report not later than November 30, 1984.

4. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To conduct public hearings throughout the state and nation on the workers' compensation system and develop recommendations to address concerns raised in those hearings.

(b) To contract with such other public agencies as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The Joint Rules Committee may make such money available from the Contingent Funds of the Assembly and Senate as it deems necessary for the expenses of the committee and its members. In accordance with Joint Rule 36.8, any such expenditure of funds shall

be made in compliance with policies set forth by the Joint Rules Committee and shall be subject to the approval of the Joint Rules Committee.

RESOLUTION CHAPTER 128

Assembly Concurrent Resolution No. 87—Relative to congratulating Red Skelton upon the occasion of his Seventieth Birthday.

[Filed with Secretary of State September 16, 1983]

WHEREAS, Seldom in the history of the performing arts has there been a performer whose natural and versatile talent, warm and human demeanor, and kinetic personality have been combined with the sincerity of character that is the essence of Red Skelton and, upon the occasion of his 70th Birthday, he is deserving of the heartiest congratulations and best wishes of his devoted fans and admiring friends; and

WHEREAS, Born Richard Bernard Skelton on July 18, 1913, in Vincennes, Indiana, Red Skelton started his career by dancing on the streets of his hometown for pennies and at age 10 he joined a traveling medicine show and received his first comedy laugh when he accidently fell off a stage; and

WHEREAS, He has played tent shows, minstrels, vaudeville, showboats, and burlesque, and, during the Depression, he developed a doughnut dunking routine and this successful act—which he would work into his television routine later—was basically responsible for his booking at New York's Loew's State and, later, at the Paramount Theater; and

WHEREAS, In the late 1930's he turned to the air waves and became a radio comedian in Chicago, and in 1940, he landed a movie contract with MGM Studios and, during his 15 years with this studio, he appeared in 40 motion pictures; and

WHEREAS, In 1951, he was an instant hit with his half hour television show, broadcast live in those days, and, with the advent of tape, he expanded his program to an hour, and developed a successful Emmy Award winning show which, for 20 years, was one of the most popular on television; and

WHEREAS, The wide range of humor for which he is so famous was provided by the diversity of his characters: Freddie the Freeloader, Clem Kadiddlehopper, Willie Lump-Lump, Sheriff Deadeye, Bolivar Shagnasty, San Fernando Red, George Appleby and Junior, the Mean Widdle Kid; and

WHEREAS, Although he has not been a regular on television since 1971, which season marked his 20th consecutive year on network television, Red Skelton currently makes about 125 live performances

a year at conventions, fairs, colleges, and auditoriums; and

WHEREAS, He is also regarded as a much talented painter, having painted a dozen different scenes for plates, illustrated several children's books which he wrote, and drawn a series of clowns for an oversized coloring book; and

WHEREAS, His newest art endeavor is the reproduction of some of his memorable television characters in figurines sculpted by Hal Reed; and

WHEREAS, Since the early days of his career, Red Skelton has enthralled audiences with his masterful, polished style, and, yet, no single phrase can describe his abilities and the simple, human qualities which are so apparent during his performances; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members take great pride and pleasure in joining with the people of California in congratulating Red Skelton on the celebration of his 70th Birthday, and, on behalf of all the people whose lives have been brightened by Red Skelton over the years, applaud him for his invaluable contributions to the entertainment industry and the fine art of painting; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Red Skelton.

RESOLUTION CHAPTER 129

Assembly Concurrent Resolution No. 89—Relative to voter registration.

[Filed with Secretary of State September 16, 1983]

WHEREAS, It is the basic right and responsibility of all members of our society to participate in determining who shall represent them in government through the elective ballot process; and

WHEREAS, Most college and university students are of voting age and should actively exercise their rights to participate in the electoral process; and

WHEREAS, Many college and university students leave their homes to seek an advanced education and therefore need to pay special attention to registering to vote when they have moved; and

WHEREAS, College and university campuses can and should provide an opportunity to register students to vote; and

WHEREAS, The Legislature believes it is the obligation of each and every elected official to actively encourage full participation in our elective process; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature declares the first month of each academic year as "Student Voter Registration Month" on all

California college and university campuses; and be it further

Resolved, That the Legislature urges every California college and university student to assure his or her appropriate voter registration and full participation in the electoral process; and be it further

Resolved, That the Legislature urges the chief executive officer and the administration, faculty, staff, and student government of every California postsecondary education institution, including public and private, nonprofit and profit, to initiate effective efforts to facilitate and assure the appropriate voter registration of all its students; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Regents of the University of California, the Trustees of the California State University, the Board of Governors of the California Community Colleges, the Association of Independent Colleges and Universities, the UC Student Lobby, the California State Student Association, and the California Community College Student Government Association, and the associations of all for profit postsecondary education institutions.

RESOLUTION CHAPTER 130

Assembly Joint Resolution No. 3—Relative to exports.

[Filed with Secretary of State September 16, 1983]

WHEREAS, The people of California are a major exporter of American products among the states; and

WHEREAS, The people of California are a major importer of foreign products among the states; and

WHEREAS, The challenge of creating more jobs for the people of California relies to a great extent on creating more exports; and

WHEREAS, The people of California need the help of President Ronald Reagan and the federal government in regaining our competitiveness abroad; and

WHEREAS, To do this we need to reduce foreign barriers that unfairly hinder our exports, thereby ensuring that free trade among nations is preserved; and

WHEREAS, California's products in many areas such as agriculture, computers, semiconductors, and telecommunications are internationally competitive in quality, reliability, and price, but are being frozen out of overseas markets by unfair quotas and artificial barriers; and

WHEREAS, In particular, California's largest industry, agriculture, is unfairly hindered by foreign trade barriers; and

WHEREAS, Such discrimination against California's exports can no longer be tolerated quietly in these times of significantly higher unemployment; and

WHEREAS, The Legislature of the State of California last year created the California State World Trade Commission to increase California's exports; and

WHEREAS, The people of California must have an effective means of declaring to nations that exclude too much of California's products unfairly that the time has come to become serious about foreign trade; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to provide strong, prompt, and decisive leadership to encourage trade by all nations; and be it further

Resolved, That the Legislature respectfully asks the federal government to insist that California's exports be granted reasonable access to foreign markets and that the federal government be firm, but fair, until that access is obtained; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor of the State of California, and to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the President pro tempore of the United States Senate, to each United States Senator, and Member of the House of Representatives in the California delegation, to the United States Secretary of State and to the United States Secretary of Commerce.

RESOLUTION CHAPTER 131

Assembly Joint Resolution No. 58—Relative to sewage treatment plants.

[Filed with Secretary of State September 16, 1983.]

WHEREAS, There is an ongoing problem of raw sewage flowing from Mexico into the United States near San Diego, and into California ocean waters; and

WHEREAS, The entry of raw sewage from Mexico into California presents the possibility of a severe outbreak of infectious disease and presents serious environmental problems; and

WHEREAS, Several times each year San Diego County health officials must ban swimming in ocean waters near Imperial Beach contaminated with raw sewage from Tijuana; and

WHEREAS, The steady discharge of raw sewage has destroyed and continues to destroy valuable cropland; and

WHEREAS, Thousands of Americans unknowingly cross open raw sewage flows by car, by foot, and by horseback to attend events held at the Border State Park; and

WHEREAS, This contact can lead to the spread of serious disease;

and

WHEREAS, The population around the international border area is rapidly approaching two million people; and

WHEREAS, The only solution to problems of the Tijuana River Valley is construction of a waste water treatment plant in Tijuana or south San Diego; and

WHEREAS, The primary reason for the need for such a treatment plant is the lack of a facility in Tijuana; and

WHEREAS, The citizens who reside in the area should not be billed for the construction of a treatment plant that is needed because of raw sewage from Tijuana; and

WHEREAS, In a similar situation the federal government funded and constructed a treatment plant in Nogales, Arizona; and

WHEREAS, There is an ongoing need for joint action and negotiation for the resolution of problems common to both the United States and Mexico; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the California State Legislature supports the funding by the federal government of the construction of a sewage treatment plant in Tijuana, Mexico, or San Diego County, California, to treat sewage from Tijuana, Mexico; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to authorize the funding and construction of a sewage treatment plant in San Diego County to carry out the objectives of the federal Clean Water Act; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to negotiate with Mexico for the resolution of problems which are common to both countries and to resolve common problems with Mexico through joint action whenever possible; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 132

Assembly Joint Resolution No. 81—Relative to the Baha'is of Iran.

[Filed with Secretary of State September 16, 1983]

WHEREAS, Religious tolerance and freedom are precepts which have been accepted and enjoyed by Americans for hundreds of years; yet at this time, predicated on misconceptions and misunderstandings, a great tragedy is being unfolded—the atrocious

and heinous persecution of members of the Baha'i faith by the Iranian government; and

WHEREAS, One of the great religions in the world, the Baha'is have been traditionally supportive of human rights, the United Nations, world peace, and other projects for the advancement of mankind; and

WHEREAS, President Ronald Reagan has issued an appeal to the Iranian government to desist in these crimes against humanity which the American people find intolerable and which has provoked anguish and concern for the safety and well-being of the Baha'is in Iran; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress to continue efforts to intercede on behalf of the Baha'is of Iran and to put a stop to further persecution in order to establish peace to all peoples of the world; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 133

Assembly Joint Resolution No. 85—Relative to automation of the Employment Development Department's Unemployment Insurance programs.

[Filed with Secretary of State September 16, 1983.]

WHEREAS, The California Employment Development Department operates the Federal Unemployment Insurance Program and provides essential benefits to the workers of the state who are displaced for reasons beyond their control; and

WHEREAS, The California State Auditor General recently reviewed the Employment Development Department and found that federal government funding policies are a disincentive to the automation of the Employment Development Department because they do not provide adequate funds for equipment purchases and operating costs, and furthermore reduce allocations to California if it takes the initiative and automates programs; and

WHEREAS, The Employment Development Department issues by hand over 75,000 unemployment insurance checks every day, making it the largest manual check-writing system in the western states; and

WHEREAS, Automation of the department's unemployment

insurance programs would provide a benefit to the employees and employers of the state from improved services and reduced costs and taxes; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress and President of the United States to examine the Department of Labor funding policies that discourage automation of state unemployment insurance programs; and be it further

Resolved, That the Congress and the President require the Department of Labor to allow California's Employment Development Department to use personal services savings resulting from automation to help purchase new automation equipment and offset increased nonpersonal services costs; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 134

Assembly Joint Resolution No. 88—Relative to the conflict in Lebanon.

[Filed with Secretary of State September 16, 1983.]

WHEREAS, The lives of American servicemen are being tragically lost in the current conflict in Lebanon, and the toll is increasing due to the precarious position of the peacekeeping force in that country; and

WHEREAS, The United States has been instrumental in the efforts to achieve an agreement between Israel and Lebanon; and

WHEREAS, Invasion of Southern Lebanon by Israel resulted in marked reduction in terrorist activities by the Palestine Liberation Organization (PLO) and Syrian troops, saving thousands of Lebanese lives and giving the people of that country hope for the first time in years; and

WHEREAS, The unilateral pullback of Israeli troops has been opposed by the United States, and those troops have remained in Lebanon at a great cost to Israel; and

WHEREAS, The PLO and Syria have refused to remove their invading forces; and

WHEREAS, The removal of all foreign forces is a crucial step in the process of restoring an independent, safe state of Lebanon; now, therefore, be it

Resolved by the Assembly and Senate of the State of California,

jointly, That the Legislature of the State of California encourages and supports the President and the Congress of the United States in all efforts to persuade Syria and the PLO to join the peace process initiated by the United States and Israel, to withdraw troops from Lebanon, and to assist in the efforts to achieve reconciliation of the remaining Lebanese factions presently not united; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of State of the United States, to each Member of Congress, to the Foreign Relations Committee of the United States Senate, and to the Foreign Affairs Committee of the House of Representatives.

RESOLUTION CHAPTER 135

Assembly Joint Resolution No. 89—Relative to federal military facilities.

[Filed with Secretary of State September 16, 1983.]

WHEREAS, The California state prison system has a design capacity of approximately 25,000 inmates; and

WHEREAS, The current prison population has reached 37,000 inmates; and

WHEREAS, The optimum safe capacity for prison administration is 95% of rated design capacity; and

WHEREAS, The current prison population exceeds 140% of safe capacity, endangering both prison staff and inmates; and

WHEREAS, Judicial scrutiny of the present prison conditions of overcrowding and double cell practices may result in court-ordered early release of dangerous offenders; and

WHEREAS, The early release of dangerous offenders presents an extreme and immediate threat to the health and safety of our communities; and

WHEREAS, It is the function and responsibility of the government to preserve the health and safety of its citizens through the maintenance of our correctional system and to insure that those individuals who have transgressed the social covenants by which we are bound are appropriately punished and removed from society as required by our laws; and

WHEREAS, The Governor and the Department of Corrections are currently making use of all available facilities and alternatives to safely house prison inmates; and

WHEREAS, In order to avoid a court-ordered release of dangerous offenders it is necessary to immediately secure additional, temporary housing facilities for state prison inmates; and

WHEREAS, The federal government could prevent the early

release of these dangerous offenders by making underutilized federal military facilities within the state available to the State of California for the purpose of meeting the state's emergency prison housing needs; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to take immediate steps to provide the State of California with access to underutilized federal military facilities within the state for the purpose of emergency housing of state prison inmates in the event of court-ordered reductions of prison population; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Defense of the United States.

RESOLUTION CHAPTER 136

Senate Concurrent Resolution No. 24—Relative to the University of California at San Diego.

[Filed with Secretary of State September 16, 1983]

WHEREAS, The University of California at San Diego has an international reputation for excellence in the sciences, social sciences and humanities; and

WHEREAS, The excellence of the University of California at San Diego brings many cultural and economic benefits to San Diego; and

WHEREAS, The University of California at San Diego has a medical school of superior quality which provides research and training which have enhanced the medical profession in San Diego, and throughout the State of California; and

WHEREAS, The University of California at San Diego does not have a school of law which can enhance the legal profession in California, and the community of San Diego; and

WHEREAS, The opportunity for public legal education in southern California is limited to one school of law at the University of California at Los Angeles; and

WHEREAS, Expanded public legal education would offer opportunities not presently available to students of limited means and to women and minorities; and

WHEREAS, San Diego is the second largest city in California and the center of a rapidly growing metropolitan area; and

WHEREAS, The orderly development of commerce and government in the San Diego area would be greatly aided and the quality of the administration of justice improved by the presence of

a major public law school at the University of California at San Diego; and

WHEREAS, The California Western School of Law, a nationally accredited law school in San Diego, has made a proposal to transfer all of its substantial assets to the University of California at San Diego at no cost, and to merge with the University of California at San Diego; and

WHEREAS, The proposed merger would not increase the number of law schools; and

WHEREAS, San Diego stands at the border of Latin America, providing unequalled opportunity for study of legal issues relating to international trade, foreign policy, and immigration; and

WHEREAS, The San Diego division of the Academic Senate of the University of California, has endorsed the merger; and

WHEREAS, There is widespread public support in San Diego for the merger; now, therefore be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Regents of the University of California be encouraged to continue to evaluate and study the proposed merger of the California Western School of Law in a timely fashion; and be it further

Resolved, That the study include, but not be limited to, all of the following:

(a) A labor market study of the demand for additional attorneys in the San Diego area and statewide.

(b) A report regarding the supply of attorneys in California, with particular emphasis upon the contributions to that supply made by the four existing University of California schools of law.

(c) A report regarding the fixed and variable costs of operating the existing four University of California schools of law.

(d) A report regarding the projected fixed and variable costs of operating a school of law at the University of California at San Diego; and be it further

Resolved, That a copy of the study be submitted to the Legislative Analyst and to the California Postsecondary Education Commission on or before July 1, 1984; and be it further

Resolved, That the California Postsecondary Education Commission review the study and submit its comments to the Senate Finance Committee and the Assembly Ways and Means Committee on or before January 1, 1985; and be it further

Resolved, That if the Regents of the University of California determine that the merger is feasible, the regents are requested to notify the California Postsecondary Education Commission of their decision and the California Postsecondary Education Commission is requested to review and report to the Legislature regarding the proposed merger of the California Western School of Law pursuant to Chapter 11 (commencing with Section 66900) of Part 40 of the Education Code; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this

resolution to the Regents of the University of California and to the California Postsecondary Education Commission.

RESOLUTION CHAPTER 137

Senate Concurrent Resolution No. 37—Relative to the Department of Economic and Business Development.

[Filed with Secretary of State September 16, 1983]

WHEREAS, The Department of Economic and Business Development is required by Section 15339 of the Government Code to prepare, in conjunction with the Commission for Economic Development and the Joint Committee on the State's Economy, a 10-year plan for developing and improving the economy of the state; and

WHEREAS, The department is required to submit its report to the Governor and to the Legislature by January 1, 1984; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the date for submission of the department's report to the Governor and the Legislature be extended from January 1, 1984, to June 30, 1984; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Director of Economic Development.

RESOLUTION CHAPTER 138

Senate Concurrent Resolution No. 42—Relative to Minority Business Week.

[Filed with Secretary of State September 16, 1983]

WHEREAS, The President of the United States of America, by proclamation, has designated the week of October 2 through October 8, 1983, as Minority Business Week, in special tribute to the outstanding contributions of the minority businesswomen and businessmen of this nation; and

WHEREAS, Minority and women entrepreneurs played a vital role among the early settlers of California, and have since multiplied their capabilities to include a complete range of business activities; and

WHEREAS, Our economic success story in California could not have been achieved and could not have been sustained without the enormous contributions made by minorities; and

WHEREAS, The economic health of California depends, in

measure, on the prospects of the state's minority businesses; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Governor is hereby requested, in conjunction with the national designation thereof, to proclaim the week of October 2 to October 8, 1983, inclusive, as California Minority Business Week, in special recognition of the contributions which minority businesswomen and businessmen have made, and will continue to make, to our state; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Governor.

RESOLUTION CHAPTER 139

Senate Concurrent Resolution No. 43—Relative to campaign and election reform.

[Filed with Secretary of State September 16, 1983]

WHEREAS, In order to provide a proper public forum to hear legislation in the field of campaign and election reform; now therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Joint Committee on Campaign and Election Reform is hereby created and authorized to do all of the following:

(a) Review and assess the subject matter of the legislation pending in the field of campaign financing, campaign ethics, and predisclosure of campaign materials.

(b) Review and assess the legislative suggestions in the broader areas of election reform being made by segments of the general public in hearings before the public; and be it further

Resolved, That the Joint Committee on Campaign and Election Reform shall consist of six members of the Senate and six members of the Assembly, and that the committee shall select a chair and vice chair from among its members; and be it further

Resolved, That the staff of the committee shall be appointed from the staff of the legislators by the chair of the committee and that the committee, through its staff, shall do all things necessary or convenient to enable it fully and adequately to perform its duties and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee shall report to the Legislature within three months after the effective date of this resolution on its activities and its recommendations for the campaign or election reforms or both, which it deems the most appropriate to satisfy the requirements that it has identified; and be it further

Resolved, That the Joint Rules Committee may make money available from the Contingent Funds of the Assembly and Senate in the amount which it deems necessary for the expenses of the committee and its members, and in accordance with Joint Rule 36.8, any such expenditure of funds shall be made in compliance with policies set forth by the Joint Rules Committee and shall be subject to the approval of the Joint Rules Committee; and be it further

Resolved, That the committee shall terminate on December 31, 1983.

RESOLUTION CHAPTER 140

Senate Joint Resolution No. 15—Relative to revenue sharing.

[Filed with Secretary of State September 16, 1983]

WHEREAS, Local government is a necessary and integral part of our governmental system; and

WHEREAS, The fiscal viability of local government is crucial to its being an integral part of our government system; and

WHEREAS, Revenue sharing is a means by which local government recaptures tax dollars remitted to the federal government; and

WHEREAS, Federal aid to cities is a vital and necessary element to local government; and

WHEREAS, California local governments received in excess of $500 million dollars in revenue sharing funds in federal fiscal year, 1982; and

WHEREAS, The authorization for federal revenue sharing is due to expire in 1983; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to authorize the extension of general revenue sharing and, due to the importance of this program to local governments, to continue these funds at a higher level than last year; and, be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

RESOLUTION CHAPTER 141

Senate Joint Resolution No. 19—Relative to salmon and steelhead trout fishery.

[Filed with Secretary of State September 16, 1983.]

WHEREAS, The value of California's commercial fishery is one and a quarter billion dollars ($1,250,000,000) annually and the value of the California recreational fishery is estimated to be four hundred million dollars ($400,000,000) annually; and

WHEREAS, The salmon fishery constitutes a significant part of California's commercial and recreational fishery; and

WHEREAS, The salmon fishery is important for food, jobs, and recreation, and to the local economies of central and northern California coastal communities; and

WHEREAS, The salmon resource of California has declined as much as 50 percent from the historical levels, due primarily to the damage done to the in-river spawning and nursery habitat of salmon; and

WHEREAS, The state of California and commercial and recreational fishermen have made a commitment to the restoration of California's salmon resources through stream restoration projects, increased in-river water flows, expanded hatchery production, and rearing-pond and hatch-box programs funded by money from nonrenewable resources, from the fishermen themselves, and from private contributions and assessments on catches; and

WHEREAS, The federal Pacific Fishery Management Council and the Department of Commerce have sought to manage California's salmon fishery on the basis of salmon runs to the Klamath-Trinity and the Upper Sacramento Rivers; and

WHEREAS, The federal government has failed to mitigate the full fish losses at the Trinity Fish Hatchery that occurred from the loss of spawning and nursery habitat above the Trinity and Lewiston Dams, which the hatchery was to mitigate; and

WHEREAS, The federal government has not provided full funding to replace salmon spawning gravels lost below the Lewiston Dam; and

WHEREAS, The federal government has not solved fish passage problems at its Red Bluff Diversion Dam, which was built to provide water for irrigation and to enhance the fisheries; and

WHEREAS, The federal government has not provided full funding for salmon spawning gravel below Keswick Dam or operated efficiently its Tehama-Colusa Spawning Channel on the Upper Sacramento River; and

WHEREAS, In 1982, as a result of California's salmon restoration programs, California fishermen had one of their best salmon harvests in recent years and salmon spawning escapement into most of California's river systems was above average; and

WHEREAS, The Pacific Fishery Management Council has proposed, and the Secretary of Commerce has enacted, a season and regulations for 1983 to severely restrict the California salmon fishery; and

WHEREAS, The restrictions have been enacted with no guarantees by the federal government that more spawning habitat will be made available by solving in-river problems that the federal government has created; and

WHEREAS, The number of salmon caught by the California commercial salmon industry in 1983 has suddenly, unexpectedly, and drastically dropped to the lowest levels in 25 years; and

WHEREAS, The average size and weight of salmon caught in 1983 has also dropped to the lowest level in 25 years; and

WHEREAS, The disastrous catches in 1983 are attributable to the sudden and unexpected appearance of anomalous ocean conditions, commonly known as El Nino, marked by the absence of normal upwellings, high water temperatures, and scarcity of prey for salmon; and

WHEREAS, The anomalous ocean conditions in 1983 are not part of a general trend, but constitute a physical disaster similar to a hurricane, earthquake, or drought; and

WHEREAS, The combination of fewer and smaller salmon in 1983 and the lack of private financial assistance on reasonable terms has forced many salmon fishermen to the point of insolvency, default, and bankruptcy; and

WHEREAS, Commercial fishermen are virtually without recourse to federal or state disaster relief assistance programs; and

WHEREAS, The United States Small Business Administration is authorized to make or guarantee loans as necessary to victims of economic injury caused by physical disasters; and

WHEREAS, The Legislature previously has respectfully memorialized the President and Congress of the United States to create a separate federal fishery management council for California; and

WHEREAS, Representative Glenn Anderson of California has introduced HR 2351 to create a separate federal fishery management council for California; and

WHEREAS, The Subcommittee on Fisheries and Wildlife Conservation and the Environment of the Committee on Merchant Marine and Fisheries of the House of Representatives has conducted hearings in Long Beach, Monterey, and Eureka on HR 2351 and has found widespread support for creation of a separate federal fishery management council for California; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully memorializes the President and Congress of the United States and the Secretary of the Interior to mitigate fully all fish losses that have occurred above the Trinity and Lewiston Dams, provide funding for spawning gravels below the Lewiston Dam on the Trinity and the Keswick Dam on the Upper

Sacramento River, solve the fish-passage problems at the Red Bluff Diversion Dam, and turn over the operations of the Tehama-Colusa Spawning Channel, with annual funding, to the Department of Fish and Game of this state; and be it further

Resolved, That the Legislature finds and declares that the anomalous conditions off the coast of California associated with El Nino in 1983 constitute a physical disaster that is causing severe economic injury to the commercial salmon fisheries of California; and be it further

Resolved, That the Legislature respectfully memorializes the President and Congress of the United States, the United States Small Business Administration, the Governor of California, and the California Office of Emergency Services to take the necessary steps to make federal Economic Injury Disaster Loans under the United States Small Business Administration's Physical Disaster and Economic Injury Loan Program available to California commercial salmon fishermen in 1983; and be it further

Resolved, That the Legislature reaffirms its support for creation of a separate federal fishery management council for California, with guaranteed representation for California commercial, recreational, and Klamath River American Indian fishermen, California seafood processors, and the California Department of Fish and Game; and be it further

Resolved, That the Legislature respectfully memorializes the President and Congress of the United States and the Secretary of Commerce to ensure that the Salmon Plan Development Team of any federal fishery management council, having authority over California, includes members representing balance of disciplines needed for optimum-yield management of the California salmon resource, and to include representatives of California ocean and inland salmon fishermen; and be it further

Resolved, That the Legislature requests all of the following:

(a) The Joint Committee on Fisheries and Aquaculture, in consultation with the Director of Fish and Game and the Fish and Game Commission, shall reestablish the Advisory Committee on Salmon and Steelhead Trout, which was created pursuant to Assembly Concurrent Resolution No. 64 in 1970, and shall appoint members to ascertain, study, and analyze all facts relating to the preservation, protection, restoration, and enhancement of salmon and steelhead trout resources of this state, including, but not limited to, the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon, or relating to, the subject of this resolution, to report thereon to the Joint Committee on Fisheries and Aquaculture and the Director of Fish and Game and to include in the report its recommendations for appropriate legislation.

(b) The Advisory Committee on Salmon and Steelhead Trout shall consist of persons having practical knowledge and experience in the following fields:

(1) Four representatives of the commercial salmon industry.

(2) Four representatives of organized inland and ocean fisheries sportsmen's groups.

(3) One public member.

(c) The advisory committee shall cooperate with, and secure the cooperation of. state and federal agencies, counties and cities, and local law enforcement agencies in investigating any matter within the scope of this resolution.

(d) The advisory committee shall study and investigate all relevant matters, in order to provide for, and develop a program for, the preservation, protection, restoration, and enhancement of the salmon and steelhead trout resources of this state, including, but not limited to, the following matters:

(1) The conduct of hatchery and stocking operations to achieve maximum contribution to the fishery and to spawning escapement.

(2) The rehabilitation, protection, enhancement, and preservation of all salmon and steelhead trout spawning areas and the maintenance of those areas in optimum condition.

(3) The expansion of hatchery and related artificial propagation facilities, where necessary and feasible, to achieve maximum production of salmon and steelhead trout consistent with protection of naturally spawning stocks.

(4) The screening of all existing major diversions on salmon and steelhead trout streams.

(5) The development and conduct of rehabilitation, enhancement, and restocking programs, to achieve maximum production in all streams with historic populations of salmon and steelhead trout.

(6) The coordination of state programs and activities with federal agencies to promote maximum contribution to the salmon and steelhead trout resources by the federal government.

(7) The developing of a comprehensive salmon and steelhead management plan for the State of California.

(e) The advisory committee shall submit timely progress reports to the Joint Committee on Fisheries and Aquaculture and the Director of Fish and Game, and include, in these reports, any suggested legislation. The advisory committee shall also submit four annual reports to the Joint Committee on Fisheries and Aquaculture and the Director of Fish and Game. The advisory committee shall submit the first annual report on or before January 1, 1985, and shall submit the remaining reports on or before January 1st of each year thereafter; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Commerce, to the Secretary of the Interior, to the Director of the United States Small Business Administration, to the Speaker of the House of Representatives, to the Chairman of the Subcommittee on Fisheries and Wildlife Conservation and the Environment of the Committee on Merchant Marine and Fisheries

of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Governor, Director of Fish and Game, President of the Fish and Game Commission, and Director of the Office of Emergency Services of this state.

RESOLUTION CHAPTER 142

Senate Joint Resolution 28—Relative to Vincent Chin.

[Filed with Secretary of State September 16, 1983]

WHEREAS, Asian Americans have been given unfair and unjust treatment historically in the United States; and

WHEREAS, Our American judicial system has failed to execute its duties and responsibilities in the handling of the prosecution in Detroit, Michigan, of the killers of Vincent Chin, a Chinese-American; and

WHEREAS, Vincent Chin's murder was the result of a racially-motivated attack by which could have been perpetrated against any Asian person, and as an Asian American he was blamed for the high unemployment in the Detroit area; and

WHEREAS, Numerous and substantial mistakes, inexcusable omissions, and material errors on the part of the prosecuting attorney, the attorney general, and the judge on the case have resulted in the criminals effectively going unpunished; and

WHEREAS, It is the criminal justice system which is entrusted to protect the rights of all those concerned, the state, the defendants, and the victim; and

WHEREAS, The protection of human rights demands that a heinous crime such as the killing of Vincent Chin be properly dealt with on behalf of all members of society; and

WHEREAS, It is the duty and obligation of the criminal justice system to alleviate and rectify all errors occurring in the administration of justice and the enforcement of the laws; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the President and Congress of the United States are respectfully memorialized to request the United States Department of Justice to undertake a prompt and thorough investigation of, and prosecution for, all federal civil rights violations that may have been committed against Vincent Chin; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, and to the United States Department of Justice.

RESOLUTION CHAPTER 143

Senate Concurrent Resolution No. 44—Relating to a redistricting commission.

[Filed with Secretary of State September 19, 1983]

WHEREAS, The controversy concerning legislative and congressional redistricting plans continues to disrupt the entire legislative process; and

WHEREAS, The creation of an independent commission to undertake the task of drawing legislative, congressional, and Board of Equalization district boundaries appears to be a possible solution to this ongoing controversy; and

WHEREAS, The creation of an independent commission, as proposed in Proposition 14 of the November 2, 1982, General Election, was narrowly defeated by the voters; and

WHEREAS There were no legislative hearings conducted on the subject of Proposition 14, thus the citizens were denied the opportunity to participate and receive information concerning the creation of a commission; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Joint Committee on Campaign and Election Reform conduct interim hearings throughout the state regarding the feasibility of creating an independent commission to adopt districting plans; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Chairperson of the Joint Committee on Campaign and Election Reform.

RESOLUTION CHAPTER 144

Senate Joint Resolution No. 31—Relative to Soviet aggression.

[Filed with Secretary of State September 19, 1983]

WHEREAS, The California Legislature finds and declares that the Soviet Union is the greatest threat to peace, freedom, and democracy in the world today for the following reasons:

WHEREAS, On August 31, 1983, Soviet war planes shot down a Korean commercial airplane killing United States Representative Larry McDonald (D-Georgia) and 268 other innocent citizens; and

WHEREAS, We have no better example of the barbaric and despicable use of military power without provocation than the destruction of the Korean airplane; and

WHEREAS, The Soviets have suppressed democratic movements in their client states including the use of armed forces in East Germany (1953), Hungary (1956), Czechoslovakia (1968), and

Poland (1982); and

WHEREAS, Communist governments in approximately 30 countries have ruled for a combined total of nearly 700 years without a peaceful transition to democracy in any nation; and

WHEREAS, Of the twelve wars waged in 1982, 10 involved Soviet-backed troops; and

WHEREAS, The Soviets or their client states have destroyed free trade unions everywhere including, most recently, Solidarity in Poland and the free trade union in Nicaragua; and

WHEREAS, The Soviets have continuously and openly violated the Helsinki Accords to permit free immigration and religious and political freedom; and

WHEREAS, The Soviet Union has continued to escalate development and deployment of its military forces; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California condemns the government of the Soviet Union and urges the President and Congress of the United States to take appropriate action to oppose Soviet aggression including, but not limited to, the imposition of trade embargoes, discontinuation of wheat sales, denial of Olympic participation, and elimination of Soviet flights to this country; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

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1983–84

FIRST EXTRAORDINARY SESSION

Executive Department
State of California

PROCLAMATION

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session;

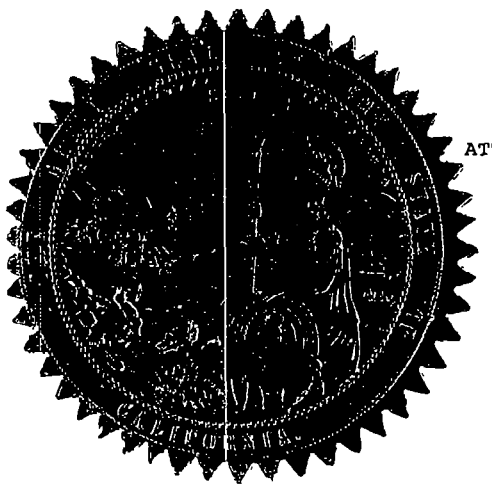
Now, therefore, I, Edmund G. Brown Jr., Governor of the State of California, by virtue of the power and authority vested in me by Section 3(b) of Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California, on the sixth day of December, 1982, at 12:00 o'clock noon to address the major problems facing the State by legislating on the following subjects:

Item No. 1 To consider and act upon fiscal legislation required by the severe national economic recession.

Item No. 2 To consider and act upon legislation relative to the structure and functions of state government agencies and commissions.

Item No. 3 To consider and act upon legislation relative to reapportionment.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 6th day of December, 1982.



Edmund G. Brown Jr.
Governor

ATTEST: March Fong Eu
Secretary of State

by [illegible]
Deputy Secretary of State

STATUTES OF CALIFORNIA

1983–84

FIRST EXTRAORDINARY SESSION

1983–84 CHAPTERS

CHAPTER 1

An act relating to services for older persons, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor December 23, 1982 Filed with Secretary of State December 23, 1982]

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

SECTION 1. Notwithstanding any other provision of law, on the operative date of this act, from the unencumbered balances of the appropriations provided in the following citations, and subject to the approval of the Director of Finance, an amount not to exceed two million nine hundred thousand dollars ($2,900,000) shall be transferred to Item 4170-101-001, Budget Act of 1982-Department of Aging--local assistance:

(1) Item 4170-101-001, Budget Act of 1982-Department of Aging--local assistance--Senior Nutrition Volunteer Program.

(2) Item 053-001-001, Budget Act of 1981-Secretary of Health and Welfare--support.

(3) Item 312(b)(1), Budget Act of 1980-Department of Social Services--in-home supportive services.

(4) Chapter 1020 of the Statutes of 1980.

Notwithstanding any other provision of law, on April 1, 1983, the unencumbered balance of the appropriation provided in Item 4170-001-001, Budget Act of 1982-Department of Aging--support shall be transferred to Item 4170-101-001, Budget Act of 1982-Department of Aging--local assistance.

SEC. 2. Notwithstanding any other provision of law, on the operative date of this act, the amount of eighty-five thousand dollars ($85,000) is hereby appropriated without regard to fiscal years from Item 4170-101-001, Budget Act of 1982, for the provision of nutrition services in senior multipurpose center nutrition sites operated by a selected city located in a county having between 30,000 and 40,000 residents of age 60 years or older. The Department of Aging shall select a city to operate this pilot project that has demonstrated the ability and willingness to initiate and conduct a senior nutrition program in a congregate meal setting. As a condition of the receipt of any state funds under this section, any city selected to operate the pilot project provided for by this section shall provide at least 25 percent of the costs of initiating and operating the project.

Not later than one year after the operative date of this act, the Department of Aging shall submit a report to the Legislature and the Governor. This report shall include a description and evaluation of any pilot project operated under this section, including a description of the characteristics of the persons served, the range of problems presented by those persons, the effectiveness of the project in

handling those problems, and recommendations for administrative and legislative changes.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

This act uses state funding sources to replace part of the federal funds withdrawn from the senior nutrition and supportive services programs currently administered by the Department of Aging and, thus, it is essential that this act take effect immediately.

CHAPTER 2

An act relating to the State Controller, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor December 30, 1982. Filed with Secretary of State December 30, 1982.]

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

SECTION 1. The sum of one million one hundred twenty-five thousand dollars ($1,125,000) is hereby appropriated from the General Fund to the State Controller, for allocation by the Department of Finance, in augmentation of Item 0840-001-001 of the Budget Act of 1982, for payment of the Controller's expenses incurred in connection with the sale on November 18, 1982, of interest-bearing registered reimbursement warrants.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that essential expenses of the State Controller be paid at the earliest possible time, it is necessary that this act take effect immediately.

CHAPTER 3

An act to add Section 33143 to the Education Code, relating to schools.

[Approved by Governor December 31, 1982. Filed with Secretary of State January 2, 1983.]

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

SECTION 1. Section 33143 is added to the Education Code, to read:

33143. In addition to the positions authorized by Section 2.1 of Article IX of the California Constitution, the Governor, with the recommendation of the Superintendent of Public Instruction, shall appoint three deputy superintendents of public instruction and three associate superintendents of public instruction who shall be exempt from state civil service.

Appointments to these exempt positions shall not result in any net increase in the expenditures of the State Department of Education

SEC. 2. The number of deputy superintendents of public instruction and associate superintendents of public instruction appointed shall not exceed the number of those positions allocated in the 1982–83 General Fund budget.

CHAPTER 4

An act to amend, repeal, and add Section 11019 of, and to add and repeal Chapter 9 (commencing with Section 12725) of Part 2 of Division 3 of Title 2 of, the Government Code, relating to the Community Services Block Grant Program.

[Approved by Governor December 31, 1982 Filed with Secretary of State January 2, 1983]

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

SECTION 1. Section 11019 of the Government Code is amended to read:

11019. (a) Any department specified in subdivision (b) may, upon determining that an advance payment is essential for the effective implementation of a program within the provisions of this section, and to the extent funds are available, and not more frequently than once each fiscal year, advance to a community-based private nonprofit agency with which it has contracted, pursuant to federal law and related state law, for the delivery of services, not to exceed 25 percent of the annual allocation to be made pursuant to the contract and such laws, during the fiscal year to the private nonprofit agency. Advances in excess of 25 percent may be made on contracts financed by a federal program when such advances are not prohibited by federal guidelines. Advance payments may be provided for services to be performed under any contract with a total annual contract amount of two hundred thousand dollars ($200,000) or less, or which the State Department of Finance determines has been entered into with any community-based private nonprofit agency with modest reserves and potential cash flow problems. No

advance payment shall be granted if the total annual contract exceeds two hundred thousand dollars ($200,000), without the prior approval of the State Department of Finance.

The specific departments mentioned in subdivision (b) shall develop a plan to establish control procedures for advance payments. Each such plan shall include a procedure whereby the department determines whether or not an advance payment is essential for the effective implementation of a particular program being funded. Each such plan is required to be approved by the Department of Finance.

(b) Subdivision (a) shall apply to the Department of Aging, the State Department of Alcohol and Drug Programs, the Department of Corrections, the Employment Development Department, the State Department of Health Services, the State Department of Mental Health, the Department of Rehabilitation, the State Department of Social Services, the Department of the Youth Authority, the State Office of Economic Opportunity, and the Department of Education.

Subdivision (a) shall also apply to the Health and Welfare Agency which may make advance payments, pursuant to the requirements of that subdivision, to multipurpose senior services projects as established in Sections 9400 to 9413, inclusive, of the Welfare and Institutions Code.

(c) A county may, upon determining that an advance payment is essential for the effective implementation of a program within the provisions of this section, and to the extent funds are available, and not more frequently than once each fiscal year, advance to a community-based private nonprofit agency with which it has contracted, pursuant to federal law and related state law, for the delivery of services, not to exceed 25 percent of the annual allocation to be made pursuant to the contract and such laws, during the fiscal year to the private nonprofit agency.

This section shall remain in effect only until January 1, 1988, or until the Director of Finance finds that federal Community Services Block Grant funding to the state has been terminated and files a report of that finding with each house of the Legislature, whichever is earlier, and as of such date is repealed, unless a later enacted statute, which is chaptered before the earlier of the two dates, deletes or extends such date.

SEC. 2. Section 11019 is added to the Government Code, to read:

11019. (a) Any department specified in subdivision (b) may, upon determining that an advance payment is essential for the effective implementation of a program within the provisions of this section, and to the extent funds are available, and not more frequently than once each fiscal year, advance to a community-based private nonprofit agency with which it has contracted, pursuant to federal law and related state law, for the delivery of services, not to exceed 25 percent of the annual allocation to be made pursuant to the contract and such laws, during the fiscal year to the private

nonprofit agency. Advances in excess of 25 percent may be made on contracts financed by a federal program when such advances are not prohibited by federal guidelines. Advance payments may be provided for services to be performed under any contract with a total annual contract amount of two hundred thousand dollars ($200,000) or less, or which the State Department of Finance determines has been entered into with any community-based private nonprofit agency with modest reserves and potential cash flow problems. No advance payment shall be granted if the total annual contract exceeds two hundred thousand dollars ($200,000), without the prior approval of the State Department of Finance.

The specific departments mentioned in subdivision (b) shall develop a plan to establish control procedures for advance payments. Each such plan shall include a procedure whereby the department determines whether or not an advance payment is essential for the effective implementation of a particular program being funded. Each such plan is required to be approved by the Department of Finance.

(b) Subdivision (a) shall apply to the Department of Aging, the State Department of Alcohol and Drug Programs, the Department of Corrections, the Employment Development Department, the State Department of Health Services, the State Department of Mental Health, the Department of Rehabilitation, the State Department of Social Services, the Department of the Youth Authority, and the Department of Education.

Subdivision (a) shall also apply to the Health and Welfare Agency which may make advance payments, pursuant to the requirements of that subdivision, to multipurpose senior services projects as established in Sections 9400 to 9413, inclusive, of the Welfare and Institutions Code.

(c) A county may, upon determining that an advance payment is essential for the effective implementation of a program within the provisions of this section, and to the extent funds are available, and not more frequently than once each fiscal year, advance to a community-based private nonprofit agency with which it has contracted, pursuant to federal law and related state law, for the delivery of services, not to exceed 25 percent of the annual allocation to be made pursuant to the contract and these laws, during the fiscal year to the private nonprofit agency.

This section shall become operative January 1, 1988, or when the Director of Finance finds that federal Community Services Block Grant funding to the state has been terminated and files a report of that finding with each house of the Legislature, whichever is earlier.

SEC. 3. Chapter 9 (commencing with Section 12725) is added to Part 2 of Division 3 of Title 2 of the Government Code, to read:

CHAPTER 9. COMMUNITY SERVICES BLOCK GRANT PROGRAM

Article 1. General Provisions

12725. This chapter may be cited as the California Community Services Block Grant Program.

12726. (a) The purpose of this chapter is to provide authorization for the Governor of the State of California to assume responsibility for the Community Services Block Grant (Subtitle B, Title VI, Public Law 97-35) effective October 1, 1982, and in every succeeding year, and to further provide for the state to implement this block grant in conformity with the principles, purposes, and policies of the California Community Services Block Grant Program set forth herein.

(b) The Legislature intends that the California Community Services Block Grant Program shall be governed by the principle of community self-help, thereby promoting new economic opportunities for Californians living in poverty through well planned, broadly based and locally controlled programs of community action.

12727. Whether funded under Community Action Programs (Article 6 (commencing with Section 12750)), Migrant and Seasonal Farmworker Programs (Article 7 (commencing with Section 12765)), American Indian Programs (Article 8 (commencing with Section 12770)), or Training, Technical Assistance, and Special Support Programs (Article 9 (commencing with Section 12775)), all grantees of the California Community Services Block Grant Program shall work toward the achievement of the following basic and specific purposes:

(a) The basic purpose of this chapter is to stimulate an effective concentration of all available local, state, private, and federal resources upon the goal of enabling low-income families, and low-income individuals of all ages, in rural and urban areas to attain the skills, knowledge, and motivations and to secure the opportunities needed for them to become fully self-sufficient.

(b) The specific purposes of this chapter are to promote, as methods of achieving an effective concentration of resources on the goal of individual and family self-sufficiency, the following:

(1) The strengthening of community capabilities for planning and coordinating federal, state, private, and other assistance related to the elimination of poverty, so that this assistance, through the efforts of local officials, organizations, and interested and affected citizens, can be made more responsive to local needs and conditions.

(2) The coherent organization of a range of services related to the needs of the poor, so that these services may be made more effective and efficient in helping families and individuals to overcome poverty-related problems in a way that takes into account, and supports, their progress in overcoming identified causes of poverty.

(3) The implementation, subject to adequate evaluation, of new

types of services and innovative approaches toward eliminating causes of poverty, so as to develop increasingly effective methods of employing available resources.

(4) Maximum feasible participation of members of the groups and residents of the low-income areas to be served by programs and projects in the development and implementation of those programs and projects, in order to assure that all programs and projects are meaningful to, and widely utilized by, their intended beneficiaries.

(5) The broadening of the resource base directed towards the elimination of poverty, so as to secure, in addition to the services and assistance of public officials, private religious, charitable, and neighborhood organizations, and individual citizens, a more active role for business, labor, and professional groups able to provide employment opportunities or otherwise influence the quantity and quality of services of concern to the poor.

(c) It is the finding of the Legislature that these state purposes and the intent of the federal Community Services Block Grant will best be served by enacting the program policies and requirements contained in this chapter.

12728. Notwithstanding any other provision of law the provisions of this chapter shall supersede and prevail over any provisions of law relating to or in any way dealing with the subject matter of this chapter or federal economic opportunity programs which were repealed by federal Public Law 97-35.

12729. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

Article 2. Definitions

12730. For the purposes of this chapter:

(a) "Director" means the Director of the State Office of Economic Opportunity.

(b) "Community action agency" means a private nonprofit organization or a public agency which is designated by a political subdivision to serve as that community's antipoverty agency. Community action agencies shall meet structural and functional requirements set forth in Article 6 (commencing with Section 12750).

(c) "Delegate agency" means a private nonprofit organization or public agency which operates one or more projects funded under this chapter pursuant to a contractual agreement with an eligible grantee.

(d) "Designation" means the formal selection of a proposed community action agency by a political subdivision or the director, as provided in Section 12750

(e) "Eligible entity" means (1) any organization which was

officially designated as a community action agency under the provisions of Section 210 of the Economic Opportunity Act of 1964 during fiscal year 1981, unless such community action agency lost its designation under Section 210 of that act; or unless the community action agency has had its designation revoked pursuant to subdivision (e) of Section 12850; (2) any organization which is designated and recognized as a community action agency after October 1, 1982, pursuant to Article 6 (commencing with Section 12750); (3) any Indian tribe or organization meeting the eligibility standards set forth in Article 8 (commencing with Section 12770); (4) any migrant and seasonal farmworker organization meeting the eligibility standards set forth in Article 7 (commencing with Section 12765); (5) any limited purpose agency which is approved for funding pursuant to the requirements of Article 9 (commencing with Section 12775); and (6) for the purposes of Article 6 (commencing with Section 12750), a limited purpose agency which was designated as, and met the structural requirements of, a community action agency, and which received funds pursuant to Section 221 of the federal Economic Opportunity Act of 1964 during the 1981 federal fiscal year to serve as a community action agency in an uncapped county or multicounty area.

(f) "Eligible beneficiaries" means (1) all individuals living in households whose income is at or below the official poverty line as defined by the United States Office of Management and Budget; (2) all individuals eligible to receive aid to families with dependent children (Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code) or federal supplemental security income benefits (Title XVI, Social Security Act); (3) residents of a target area having a measurably high incidence of poverty and which is the specific focus of a project financed under this chapter. However, for the purpose of calculating the set-asides required under subdivisions (a) and (b) of Section 12785, only eligible beneficiaries under paragraph (1) shall be counted.

(g) "Financial assistance" means money provided to an eligible entity, pursuant to a cosigned, written statement of grant action, in order to enable the grantee to accomplish its planned and approved work program.

(h) "Limited-purpose agency" means a private nonprofit organization or public agency, other than those eligible under Article 6 (commencing with Section 12750), 7 (commencing with Section 12765), or 8 (commencing with Section 12770), which meets the administrative and fiscal requirements of this chapter, and which has a demonstrated capacity to provide training, technical assistance, statewide special support, or other activities which serve the state's low-income population.

(i) "Office" means the State Office of Economic Opportunity within the Governor's office as constituted pursuant to Article 8 (commencing with Section 12085) of Chapter 1.

(j) "Political subdivision" shall generally be deemed to mean county government, with the following exceptions: (1) in any county which prior to October 1, 1981, had more than one designated community action agency, each unit of local government which contained a designated community action agency shall continue to operate as a "political subdivision" under this chapter; and (2) any county having fewer than 50,000 population according to the 1980 census may be deemed by the office to be part of a larger "political subdivision" comprising two or more counties if the office determines that to do so would but serve the purposes of this chapter, and may participate in the designation process for a multicounty community action agency.

(k) "Recognition" means approval by the office of a community action agency to serve a particular community, such recognition to follow designation of that agency by one or more political subdivisions.

(*l*) "Secretary" means the Secretary of the United States Department of Health and Human Services.

(m) "Special consideration," pursuant to the requirements of Public Law 97-35 Section 675 (c) (4), means (1) that any community action agency which was receiving funds from the Community Services Administration on August 13, 1981, shall be formally recognized by the office no later than October 1, 1982; (2) that no new or repeated designation shall be required of any political subdivision which had a designated community action agency on August 13, 1981; and (3) that no community action agency shall be determined to be out of compliance with program or fiscal requirements established by the state until such requirements are published for review and comment and until, in the case of requirements differing from those of the now defunct federal Community Services Administration, community action agencies are afforded a reasonable opportunity to comply therewith.

(n) "Standards of effectiveness" are the general standards, derived from the purposes of this chapter, toward which all programs and projects funded under this chapter shall be directed and against which they will be assessed.

(o) "Statement of grant action" means the written document incorporating the terms and conditions under which the office agrees to provide financial assistance to a grantee. Upon its cosigning by authorized agents of the office and the grantee, and subsequent approval by the Department of General Services pursuant to Section 14780, a statement of grant action shall be deemed to constitute a valid, enforceable contract.

(p) "State plan" means the plan required to be submitted annually to the secretary to secure California's allotment of Community Services Block Grant funds, which shall be prepared and reviewed pursuant to the requirements of this chapter.

(q) "Uncapped area" means any county or portion thereof for which no community action agency has been designated and

recognized.

Article 3. State Application and Assurances

12735. (a) On or before September 1, 1982, the Governor shall submit an application containing the assurances and certification required under Section 12736 to the secretary in such form as the secretary may require pursuant to Section 674 of federal Public Law 97-35.

(b) Since under the terms of federal Public Law 97-35 the secretary may not prescribe the manner in which states shall comply with the provisions set forth in subdivision (a), it is the intent of the Legislature that California's manner of compliance shall be controlled in the first instance by this chapter, and further by the annual state plan and such regulations as may be promulgated by the office, pursuant to the Administrative Procedure Act.

(c) The state administering agency for the California Community Services Block Grant Program shall be the State Office of Economic Opportunity.

12736. For the purposes of Section 12735, the application shall contain assurance and certification that the state shall do all of the following:

(a) Conduct legislative hearings on the proposed use and distribution of Community Services Block Grant funds prior to the submission of its fiscal year 1984 application and in every succeeding year.

(b) Use Community Service Block Grant funds as provided in Section 12737.

(c) Use not less than 90 percent of the Community Services Block Grant funds allotted to the state to make grants to political subdivisions of the state, and to private nonprofit community organizations which have a board which meets the requirements of subdivision (e), and to migrant and seasonal farmworker organizations, for the purposes described in subdivision (b).

(d) Expend not more than 5 percent of the state's allotment for administrative costs at the state level.

(e) Assure that each board of a community action agency will be constituted so as to assure all of the following:

(1) One-third of the members of the board are elected public officials, currently holding office, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the board, membership on the board of appointive public officials may be counted in meeting such one-third requirement.

(2) At least one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served.

(3) The remainder of the members are officials or members of business, industry, labor, religious, welfare, education, or other major

groups and interests in the community.

(f) Give special consideration in the designation of local community action agencies to any community action agency which was receiving funds under any federal antipoverty program on the date of the enactment of federal Public Law 97-35, except that the state shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the state. If there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, the state shall give special consideration in the designation of community action agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds in the fiscal year preceding the fiscal year for which the determination is made.

(g) Decline to avail itself of permission to transfer Community Services Block Grant funds, not to exceed 5 percent of the state's allotment, to other specified programs.

(h) Prohibit any political activities in accordance with Section 675(e) of federal Public Law 97-35.

(i) Prohibit any activities to provide voters and prospective voters with transportation to the polls or provide similar assistance in connection with an election or any voter registration activity.

(j) Provide for coordination between antipoverty programs in each community, where appropriate, with emergency energy crisis intervention programs under Title XXVI of federal Public Law 97-35 (relating to low-income home energy assistance) conducted in such community.

(k) Provide that fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursal of and accounting for federal funds paid to the state under this chapter, including procedures for monitoring the assistance provided under this chapter, and provide that at least every year the state shall prepare, in accordance with Section 675(f) of federal Public Law 97-35, an audit of its expenditures of amounts received under the Community Services Block Grant and amounts transferred to carry out the purposes of the Community Services Block Grant.

(*l*) Permit and cooperate with federal investigations undertaken in accordance with Section 679 of federal Public Law 97-35.

12737. For the purpose of subdivision (b) of Section 12736, the state shall use Community Services Block Grant funds as follows:

(a) To provide a range of services and activities having a measurable and potentially major impact on causes of poverty in the community or those areas of the community where poverty is a particularly acute problem.

(b) To provide activities designed to assist low-income participants, including the elderly poor, to do any of the following:

(1) Secure and retain meaningful employment.

(2) Attain an adequate education.

(3) Make better use of available income.

(4) Obtain and maintain adequate housing and a suitable living environment.

(5) Obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs, including the need for health services, nutritious food, housing and employment-related assistance.

(6) Remove obstacles and solve problems which block the achievement of self-sufficiency.

(7) Achieve greater participation in the affairs of the community.

(8) Make more effective use of other programs related to the purposes of this chapter.

(c) To provide on an emergency basis for the provision of such supplies and services, nutritious foodstuffs, and related services, as may be necessary to counteract conditions of starvation and malnutrition among the poor.

(d) To coordinate and establish linkages between governmental and other social services programs to assure the effective delivery of such services to low-income individuals.

(e) To encourage the use of entities in the private sector of the community in efforts to ameliorate poverty in the community.

12738. The Office of Economic Opportunity may make grants and enter into contracts as necessary and appropriate to carry out its responsibilities under the provisions of this chapter.

Article 4. State Plan and Legislative Hearings

12740. Each year by September 1. the office shall prepare an annual state plan for the California Community Services Block Grant Program which shall include all of the following:

(a) A statement of goals and objectives.

(b) Information on the types of activities to be supported, geographic areas to be served, and categories or characteristics of individuals to be served.

(c) The criteria and method established for the distribution of funds, including details on how the distribution of funds will be targeted on the basis of need.

(d) Description of the manner in which each of the assurances made to the secretary pursuant to Article 3 (commencing with Section 12735) is to be carried out, by adhering to this chapter's definitions of eligible activities and eligible entities in the grant approval process, by attaching general and specific conditions to grant award notices, and by promulgating appropriate regulations.

(e) A description of how the state plans for the 1984 fiscal year and thereafter have met the goals, objectives and needs identified in the prior year's annual state plan through the use of funds in that fiscal year.

(f) A description of the process by which the annual state plan has been developed, distributed and reviewed by both the general

public and the Legislature.

(g) An explanation of how critical comment was received, reviewed and either incorporated or rejected by the office prior to final submission of the annual state plan.

(h) The office's most current information regarding the projected federal Community Services Block Grant allocation to the state, in order that the information may be included in the Governor's Budget message to the Legislature.

(i) A report of current and planned expenditures of discretionary funds.

(j) A report of the annual financial audit of the program, which shall be performed by an independent, certified auditor approved by the director, and completed within 90 days after the close of the fiscal year.

12741. The state's planning process shall include the following:

(a) Local plans shall be developed each year by eligible entities in accordance with processes which assess poverty-related needs, available resources and feasible goals and strategies, and which yield program priorities consistent with the standards of effectiveness set forth in Article 5 (commencing with Section 12745). Local plans shall provide for the contingency of reduced federal funding.

(b) Each eligible entity shall be responsible for conducting a local public hearing. for the purpose of reviewing the local plans of all eligible entities located or operating within a political subdivision served or proposed to be served pursuant to this chapter. This requirement shall not apply to eligible entities defined pursuant to paragraph (3), (4), or (5) of subdivision (e) of Section 12730, which propose to serve beneficiaries on a statewide basis.

(c) All eligible entities shall submit their grant applications and work programs to the office no later than June 30 of each year.

(d) The annual state plan shall, particularly with respect to subdivision (e) of Section 12740, reflect the aggregate of local plans in order to fairly represent the most essential characteristic of the California Community Services Block Grant Program, which is its adherence to the principle of community self-help.

(e) The appropriate committees of the Assembly and Senate shall conduct public hearings on the proposed use and distribution of funds provided under the Community Services Block Grant Program. The hearings shall be conducted in such a manner as to satisfy the legislative hearing requirement of federal Public Law 97-35 and to give the Legislature an opportunity to certify that the state plan conforms with the requirements of this chapter.

(f) The eligible entities and committees conducting hearings pursuant to subdivisions (b) and (e) shall identify all testimony presented by the poor, and shall determine whether the concerns expressed therein have been included in the plan. If the committee determines that any of those concerns have not been included in the plan, it shall specify in the plan the reasons for the rejection of those concerns. Concerns shall only be rejected if there is good cause for

the rejection.

(g) The office shall make adjustments to the annual state plan as a result of public hearings and written comments. The final plan shall be mailed by September 1 of each year to the secretary, and to all grantees and state legislators no more than one week thereafter.

12742. The annual state plan may be amended by the office at any time during the program year, provided that any proposed amendments, together with the reasons therefor, are distributed to all grantees and state legislators for a 30-day comment period commencing at least 45 days prior to their planned date of submission to the secretary.

Article 5. Eligible Activities

12745. (a) Eligible activities for which financial assistance may be obtained pursuant to this chapter are those listed in Section 12737.

(b) Each eligible entity has the responsibility to select and propose for funding the programs or projects which, in its judgment, will produce the maximum impact on its community.

(c) In addition to selecting the activities to be undertaken, each eligible entity shall be responsible for ascertaining which strategy or strategies will be most effective, given local conditions, in achieving the goals of these activities. Possible strategies include, but are not limited to, direct service delivery, advocacy, institutional change, outreach programs, information and referral services, and economic development.

(d) Eligible entities under Articles 6 (commencing with Section 12750), 7 (commencing with Section 12765), and 8 (commencing with Section 12770) shall, through their local planning processes, review and respond to all of the eligible activities listed in Section 12737. The selection of which specific program components the grantee will operate shall be based upon relative need, availability of adequate financial and human resources, and likelihood of measurable impact.

(e) Eligible entities under Article 9 (commencing with Section 12775) are limited purpose agencies which need not respond to the broad range of eligible activities but may provide specialized training, technical assistance and support services to enhance the effectiveness of community action programs, migrant and seasonal farmworker programs, and American Indian programs.

(f) The office may prescribe statewide priorities among eligible activities or strategies which shall be considered and addressed in the local planning process and described in the local plan submitted to the state. Each local grantee shall be authorized to set its own program priorities in conformance to its own determination of local needs. Nothing in this subdivision shall be construed to alter the fund allocation provisions of Section 12759, 12776, or 12785.

(g) If no other entity in the community provides those services, grantees under Article 6 (commencing with Section 12750), Article

7 (commencing with Section 12765), or Article 8 (commencing with Section 12770) shall provide a minimum level of services to help the poor receive the benefits for which they are eligible under health, food, income, and housing assistance programs designed to meet the basic survival needs of the poor. These services shall include, but shall not be limited to, all of the following:

(1) A service to help the poor complete the various required application forms, and, when necessary and possible, to help them gather verification of the contents of completed applications.

(2) A service to explain program requirements and client responsibilities in programs serving the poor.

(3) A service to provide transportation, when necessary and possible.

(4) A service which does all things necessary to make the programs accessible to the poor, so that they may become self-sufficient.

(h) Standards of effectiveness to be addressed in setting goals and assessing accomplishments are:

(1) Strengthened community capabilities for planning and coordinating so as to insure that available assistance related to the elimination of poverty can be more responsive to local needs and conditions.

(2) Better organization of services related to the needs of the poor.

(3) Maximum feasible participation of the poor in the development and implementation of all programs and projects designed to serve the poor.

(4) Broadened resource base of programs directed to the elimination of poverty so as to include all elements of the community able to influence the quality and quantity of services to the poor.

(5) Greater use of new types of services and innovative approaches in attacking causes of poverty, so as to develop increasingly effective methods of employing available resources.

(6) Maximum employment opportunity, including opportunity for further occupational training and career development for residents of the area and members of the groups served.

Article 6. Community Action Programs

12750. (a) A community action agency shall be a public or private nonprofit agency which fulfills all of the following requirements:

(1) Has been designated by a political subdivision or combination of political subdivisions to operate a community action program.

(2) Has a tripartite board structure meeting the requirements of Section 12751.

(3) Has the power, authority, and capability to plan, conduct, administer, and evaluate a community action program, including the power to enter into contracts with other public and private nonprofit

agencies and organizations to assist in fulfilling the purposes of this chapter.

(4) Is recognized by the office as a community action agency.

(b) A community action program is a locally planned and operated program comprising a range of services and activities having a measurable and potentially major impact on causes of poverty in the community or those areas of the community where poverty is a particularly acute problem.

(c) Component services and activities of a community action program may be administered directly by the community action agency, or by other agencies pursuant to delegation agreements. They may be projects eligible for assistance under this chapter, or projects assisted from other public or private sources, and they may be either specially designed to meet local needs, or designed pursuant to the eligibility standards of the state or federal program providing assistance to a particular kind of activity which will help in meeting those needs.

(d) For the purpose of this chapter, a community may be a city, county, multicity or multicounty unit, which provides a suitable organizational base and possesses the commonality of interest needed for a community action program.

(e) No new community action agency may be designated by a political subdivision which was served by an existing community action agency on August 13, 1981, unless any of the following exist:

(1) The political subdivision is informed in writing by the director that the designated community action agency has failed to comply, after having a reasonable opportunity to do so, with the requirements of this chapter.

(2) The political subdivision is informed by its designated community action agency that because of changes in assistance furnished to programs to economically disadvantaged persons it can no longer operate a satisfactory community action program.

(3) The political subdivision is petitioned by significant numbers of eligible beneficiaries to reconsider its existing designation and, based on that reconsideration, determines to designate an alternate community action agency.

Except as otherwise provided in subdivision (*l*), the office shall not terminate or suspend financial assistance provided under this chapter to an existing community action agency or revoke an existing community action agency's designation without first complying with regulations promulgated pursuant to paragraph (1) of subdivision (e) of Section 12781

(f) In the event that the designation of an existing community action agency is revoked, the political subdivision shall have a period of 90 days after the effective date of the revocation to designate a new community action agency. If the political subdivision fails to designate a new community action agency within that period, the director may designate a new community action agency.

(g) New community action agency designations may be made by

political subdivisions or combinations of political subdivisions in uncapped areas provided that the community to be served has a population of at least 50,000 as determined by the Bureau of Census from the most recent available census or survey. The director may waive the general requirement that the community to be served have a population of at least 50,000 in those instances where no practical grouping of contiguous political subdivisions can be made in order to meet that requirement.

(h) A private nonprofit agency which serves an uncapped political subdivision or combination of political subdivisions having more than 50,000 population where the political subdivision or subdivisions have refused to designate a community action agency, shall be entitled to petition the office for state designation as a community action agency, provided it has a governing board meeting community action agency requirements and has the capability to plan, conduct, administer, and evaluate a community action program.

(i) The process for designation and recognition of a new or alternate community action agency shall include all of the following:

(1) Notice of intent to designate.

(2) Public hearings.

(3) Legislative passage of an act, ordinance, or resolution of designation by the governing officials of the political subdivision or subdivisions.

(4) Submission to the office of an application for recognition.

(5) Review of application.

(6) Granting of recognition.

(j) The office shall withhold recognition of any designated community action agency whenever the director determines that the designated entity does not meet the requirements of this chapter. The director shall adopt regulations which establish the criteria governing the process of recognition.

(k) The office may terminate financial assistance to an eligible entity, or revoke the recognition of a community action agency, for failure to comply with the provisions of this chapter. Any action to terminate financial assistance or to revoke recognition shall be carried out in compliance with regulations promulgated pursuant to subdivision (e) of Section 12781.

(*l*) The office may suspend or reduce any funding provided to an eligible entity under this chapter after giving the eligible entity 15 days' written notice, if the office finds that there is evidence of fraud, illegal use of funds, or substantial noncompliance with the terms and conditions of the statement of grant action.

12751. Each community action agency shall have a board of directors conforming to the requirements of subdivision (e) of Section 12736.

(a) Low-income representatives to community action agency boards shall be chosen in accordance with regulations promulgated by the director which ensure that the selection process will identify

those persons who are, in fact, low income. In selecting representatives of the poor, grantees shall give preference to low-income candidates. The director shall promulgate regulations to implement this subdivision.

(b) Each member of the board selected to represent a specific geographic area within a community shall reside in the area he or she represents. No member of a board shall serve on such board for more than five consecutive years, or more than a total of 10 years.

12752. The powers of the tripartite governing board of the nonprofit community action agency shall include the power to appoint the executive director, to determine major personnel, fiscal, and program policies, to approve overall program plans and priorities, and to assure compliance with conditions of and approve proposals for financial assistance under this chapter.

12752.1. If a political subdivision establishes itself as a community action agency, it shall establish a tripartite board to provide input to the local government regarding the activities of the community action agency. The local government may, consistent with general and local law, delegate any or all of the following powers to the administering board:

(a) To participate jointly and to concur formally in the selection of the executive director of the community action agency.

(b) To determine its own rules and procedures and to select its own officers and executive committee.

(c) To determine, subject to the ratification of designating officials, the community action agency's major personnel, organizational, fiscal, and program policies.

(d) To determine, subject to the ratification of designating officials, the community action agency's overall program plans and priorities.

(e) To approve, subject to the ratification of designating officials, all program proposals, budgets and delegate agency agreements.

(f) To oversee the extent and the quality of the participation of the poor in the programs of the community action agency.

When a local government establishes itself as a community action agency, it shall share powers outlined in subdivision (d) with its established tripartite board. The governing laws of a local government may require that the executive director of the community action agency be appointed pursuant to city charter or civil service procedures, or both city charter and civil service procedures, in such event the Office of Economic Opportunity or its successor may grant a waiver from the requirement outlined in subdivision (a).

12753. (a) The director shall require the board of directors of each community action agency to adopt bylaws relating to the scheduling and notice of meetings, quorums which shall be not less than 50 percent of the total membership, procedures, establishment of committees, and similar matters as the director may deem necessary to assure that boards which are subject to Section 12751

provide a continuing and effective mechanism for securing broad community involvement in programs assisted under this act and that all groups or elements represented on those boards have a full and fair opportunity to participate in decisions affecting those programs. The standards or rules shall not preclude any such board from appointing an executive committee or similar group, which fairly reflects the composition of the board, to transact the board's business between its meetings. The quorum requirements for any such committee or group, which shall not be less than 50 percent of the membership, shall be established by the board.

(b) The director shall require community action agencies to establish procedures under which community agencies and representative groups of the poor which feel themselves inadequately represented on the community administering board or governing board may petition for adequate representation.

12754. In exercising its powers and carrying out its overall responsibility for a community action program, a community action agency shall have, subject to the purposes of this chapter, at least the following functions:

(a) Planning systematically for and evaluating the program, including actions to develop information as to the problems and causes of poverty in the community, determine how much and how effectively assistance is being provided to deal with those problems and causes, and establish priorities among projects, activities, and areas as need for the best and most efficient use of resources.

(b) Encouraging agencies engaged in activities related to the community action program to plan for, secure, and administer assistance available under this chapter or from other sources on a common or cooperative basis; providing planning or technical assistance to those agencies; and generally, in cooperation with community agencies and officials, undertaking actions to improve existing efforts to overcome poverty

(c) Initiating and sponsoring projects responsive to needs of the poor which are not otherwise being met.

(d) Establishing effective procedures by which the poor and area residents concerned will be enabled to influence the character of programs affecting their interests, providing for their regular participation in the implementation of those programs, and providing technical and other support needed to enable the poor and neighborhood groups to secure on their own behalf available assistance from public and private sources.

(e) Joining with and encouraging business, labor, and other private groups and organizations to undertake, together with public officials and agencies, activities, in support of the community action program which will result in the additional use of private resources and capabilities, with a view to such things as developing new employment opportunities, stimulating investment that will have a measurable impact in reducing poverty among residents of areas of concentrated poverty, and providing methods by which residents of

those areas can work with private groups, firms, and institutions in seeking solutions to problems of common concern.

12756. Every community action agency has a fundamental responsibility to encourage, assist, and strengthen the ability of the poor in the areas served by the community action agency to play major roles in the organization; program planning; goal setting; determination of priorities; decisions concerning budgeting and financial management; key decisions concerning hiring of personnel, selection criteria, personnel policies, and career development programs; and evaluation of programs affecting their lives. The fundamental responsibility of the community action agency includes:

(a) Seeking and bringing about ways to improve its own effectiveness as a channel through which the poor, local government and private groups can communicate, plan and act together in partnership. In such a partnership, the poor shall have a strong voice or role, both directly and through representatives whom they have chosen.

(b) Providing the representatives of the poor serving on the board of directors of the community action agency with the tools and the support, including guidance, training, and staff assistance, which will permit them to participate meaningfully in the affairs of the community action agency, and in all of its programs and delegate agencies.

(c) Encouraging the development of effective local organizations established and controlled by residents of poverty neighborhoods and areas. Community action agencies are expected to provide training, technical assistance, and staff resources to enable the poor to develop, administer, and participate effectively in local area programs and to enter into the broader community discussion of poverty problems and solutions.

(d) Providing employment for poor persons in all phases of the community action program.

(e) Continually ensuring that delegate agencies involve poor persons in the planning, conduct, and evaluation of delegated programs.

(f) Working for the acceptance by other public and private agencies and organizations serving the community of effective and growing involvement of the poor in the planning, conduct and evaluation of all activities which affect them and their inclusion in career jobs in the agencies.

12757. Where a community action agency places responsibility for major policy determinations with respect to the character, funding, extent, and administration of and budgeting for programs to be carried on in a particular geographic area within the community in a subsidiary board, council, or similar agency, such board, council, or agency shall be broadly representative of the area and shall assure adequate opportunity for membership of elected public officials on such board, council, or agency.

12758. (a) Eligible beneficiaries of programs financed under this

article shall be those defined under subdivision (f) of Section 12730.

(b) A community action program shall focus on the needs of low-income families and individuals. Where the nature of the activity requires administration by areas or groups, services and assistance shall be made available only in areas and for groups which have a high incidence of poverty. Where the applicant agency selects a "target" area or population group that does not include the poorest residents of the community, adequate reasons for that selection shall be provided. In determining the incidence and location of poverty in the community, the number and proportion of low-income families, particularly those with children, shall be given significant weight. Among other factors that may be considered are the following:

(1) The extent of persistent unemployment and underemployment.

(2) The number and proportion of persons receiving cash or other assistance on a needs basis from public agencies or private organizations.

(3) The number of migrant or transient low-income families.

(4) School dropout rates.

(5) Military service rejection rates.

(6) Other evidence of low educational attainment.

(7) The incidence of disease, disability, and infant mortality.

(8) Housing conditions.

(9) Adequacy of community facilities and services.

(10) The incidence of crime and juvenile delinquency.

(c) The applicant may identify additional factors which indicate evidence of poverty, particularly as they relate to specific needs to be served by proposed programs.

(d) Community action agencies are encouraged to apply for and accept grants for programs which may not be aimed solely at low-income people but may be aimed at particular groups, for example: children, the aged, the handicapped, and other similar programs which have a potential for reaching a substantial portion of low-income persons in the target areas. Community action agencies shall administer the programs in accordance with the guidelines and conditions specified by the granting agency.

12759. (a) Consistent with the provisions of this chapter, the director shall assure that financial assistance under this article will be distributed on an equitable basis among community action agencies so that all significant segments of the low-income population are being served.

(b) Each community action agency shall receive in the fiscal year 1983 a percentage of the total funds available for programs under this article which is equal to the percentage of all funding which was received by community action agencies in California under former Section 221 of the federal Economic Opportunity Act of 1964 in the fiscal year 1981 as adjusted pursuant to subdivision (c).

(c) Beginning in fiscal year 1983, and in each subsequent fiscal

year, the director shall proportionately adjust the funding guidelines so as to achieve equity in funding allocations by the beginning of fiscal year 1985. Equity shall be determined on the basis of a comparison of the number of persons living in households which have an income at or below the poverty level in each political subdivision served by a community action agency, relative to the total number of low-income persons residing in capped areas of the state, as reported in the most recent available census.

(d) Each rural community action agency which qualified or could have qualified for the minimum funding guideline under former Community Services Administration policies shall continue to receive that minimum level of funding to ensure that it will be capable of operating a community action program.

12760. Community action agencies funded under this article shall coordinate their plans and activities with other eligible entities funded under Articles 7 (commencing with Section 12765) and 8 (commencing with Section 12770) which serve any part of their communities, so that funds are not used to duplicate particular services to the same beneficiaries and plans and policies affecting all grantees under this chapter are shaped, to the extent possible, so as to be equitable and beneficial to all grantees and the populations they serve.

12761. A community action agency shall not use any funds received under this article to replace discontinued state or local funding.

12762. A community action agency funded under this article shall use no more than 12 percent of its total operating funds for administrative expenditures.

Article 7. Migrant and Seasonal Farmworker Programs

12765. The purpose of this article is to assist migrant and seasonal farmworkers and their families to achieve a greater degree of self-sufficiency within or outside the agricultural industry, or both, including, but not limited to: skills training and increasing employment stability; economic development activities that will continue to provide grantees with revenue to provide necessary services to the farmworker poor: and program assistance services, as specified in Section 12767, with highest priority given to the support of program activities with the greatest potential for successfully promoting self-sufficiency.

12767. Programs assisted under this article may include projects or activities to do any of the following:

(a) Meet the immediate needs of migrant and seasonal farmworkers and their families, such as day care for children, education, health services, improved housing and sanitation, including the provision and maintenance of emergency and temporary housing and sanitation facilities, legal advice and representation, and consumer training and counseling.

(b) Promote increased community acceptance of migrant and seasonal farmworkers and their families.

(c) Equip unskilled migrant and seasonal farmworkers and members of their families, as appropriate, through education and developmental programs to meet the changing demands in agricultural employment brought about by technological advancement and to take advantage of opportunities available to improve their well-being and self-sufficiency by gaining regular or permanent employment or by participating in available federally assisted employment or training programs.

(d) Provide such other services as are permissible under Section 12737 with specific focus on the needs of migrant and seasonal farmworkers.

12768. Migrant and seasonal farmworker program grantees shall coordinate their plans and activities with other eligible entities funded under Articles 6 (commencing with Section 12750) and 8 (commencing with Section 12770) so that funds are not used to duplicate particular services to the same beneficiaries and plans and policies affecting all grantees under this act are shaped, to the extent possible, so as to be equitable and beneficial to all grantees and the population they serve.

Article 8. American Indian Programs

12770. (a) An amount derived from the application of paragraph (1) of subdivision (c) of Section 12785 shall be set aside to serve American Indians and Alaskan Natives residing in off-reservation and reservation areas in this state. These set-aside funds shall be used to implement programs consistent with the purposes of this chapter as stated in Article 1 (commencing with Section 12725) and Section 12737. Set-aside funds in this article shall not be used to duplicate services provided through federal moneys allocated under the corresponding block grants.

(b) Allocation of funds under this article shall be consistent with the sovereign legal status of federally recognized tribes as dependent nations within the United States, consistent with the specific rights accorded other tribes and tribal organizations by the federal government, and consistent with the fiduciary responsibilities of the United States government for Indian people.

Tribes shall be entitled to receive a share of the total funds made available pursuant to this article which is commensurate with the number of low-income tribe members to whom they administer funds directly, or indirectly through a designee.

(c) Allocation of funds under this article shall be consistent with, and cognizant of, the needs of off-reservation American Indians and Alaskan Natives residing in this state.

(d) Eligible grantees shall be limited to tribes and other Indian organizations in urban or rural off-reservation areas who demonstrate community governance, such as tribes and Indian

nonprofit organizations.

(e) Eligible beneficiaries of services provided under this section shall be determined according to the grantee's established eligibility criteria, in a manner consistent with federal regulations.

12771. American Indian Program grantees funded under this article shall coordinate their plans and activities with other eligible entities funded under Articles 6 (commencing with Section 12750) and 7 (commencing with Section 12765) so that funds are not used to duplicate particular services to the same beneficiaries and plans and policies affecting all grantees under this act are shaped, to the extent possible, so as to be equitable and beneficial to all grantees and the population they serve.

Article 9. State Discretionary Fund and Funding of Limited Purpose Agencies

12775. The state shall set aside up to 5 percent of the total Community Services Block Grant for discretionary use for special projects, training, technical assistance, special support programs, and community based nonprofit organizations without tripartite boards.

12776. (a) The director shall utilize the unallocated and reallocated funds derived from the Community Services Block Grant funds for federal fiscal year 1983 pursuant to subdivisions (b) and (c) to make grants to limited purpose agencies which in federal fiscal years 1980 and 1981 received direct funding under Section 221 or 222 of the federal Economic Opportunity Act of 1964 from Region IX of the Community Services Administration. In making these grants, the director shall give preference to limited purpose agencies serving statewide or multicounty areas

(b) For the purposes described in subdivision (a), the director shall reserve as unallocated funds an amount of funds which bears the same relationship to the total funds available for purposes of Article 6 (commencing with Section 12750) as the number of persons living in households at or below the poverty level in uncapped areas of the state bears to the total number of such persons living in the state, as reported in the most recent available census. The amount of unallocated funds reserved pursuant to this subdivision shall be recalculated quarterly in order to take into account the creation of new community action agencies in formerly uncapped areas.

(c) For the purposes described in subdivision (a), the director shall reallocate any funds which become available to the office due to denials of refunding, suspension or termination of grantees under Article 6 (commencing with Section 12750), 7 (commencing with Section 12765), or 8 (commencing with Section 12770), or the recapture of excess carryover balance. The director shall adopt regulations which define "excess carryover balance" for the purposes of this subdivision.

(d) The director shall designate an organization which has a tripartite board constituted as described by subdivision (e) of

Section 12736 to administer the funds available for purposes of this section. The director shall calculate the amounts of funds available under subdivision (c) for purposes of this section no later than 40 days after the beginning of each quarter for which funds are available. Funds available under subdivisions (b) and (c) shall be granted immediately to the designated organization. The terms and conditions of the grant shall provide for a reasonable allocation of the funds among eligible limited purpose agencies based on the amount of available funds and the priority of needs established in the state plan. The designated organization shall distribute the available funds in accordance with the terms and conditions of the grant to the eligible limited purpose agencies which have filed with the office documentation of eligibility and an appropriate annual work program.

12777. Limited purpose agencies which are grantees under this article shall comply with the administrative and fiscal requirements of this chapter as a condition of remaining an eligible entity.

12778 Nothing in this chapter shall be construed to prohibit a grantee under Article 6 (commencing with Section 12750), 7 (commencing with Section 12765), or 8 (commencing with Section 12770), or under Section 12776, from applying for state discretionary funds, provided that no discretionary funding received by such a grantee shall be used to duplicate services funded pursuant to other provisions of this chapter.

Article 10. State Administrative Agency Powers and Responsibilities

12780. The purpose of this article is to prescribe the powers and responsibilities of the office as the state administering agency for the California Community Services Program so as to ensure that all applicable federal requirements of Subtitle B of Title VI of Public Law 97-35 are met and the administrative requirements of this program are clear and uniform, and provide adequate safeguards for the due process rights of grantees and beneficiaries.

12781 The office shall have the following duties:

(a) Adoption of regulations pursuant to the Administrative Procedure Act which are necessary and appropriate for the effective administration of this chapter.

(b) Development of an orderly grant application process culminating in a prescribed statement of grant action.

(c) Responsibility to assure that grantees will have a timely cash flow. In order to meet this responsibility, the office shall issue quarterly advance payments to grantees in an amount equal to 25 percent of the grantee's annual operating expenses. The advance payment shall be received by the grantee no later than the first day of the first month of the quarter for which the payment is advanced.

(d) Promulgation of uniform grants management standards to include·

(1) Standards for fiscal control and fund accounting which do all of the following:

(A) Require new grantees to be certified by an accountant prior to receiving funding.

(B) Require periodic financial reporting to the office and an annual audit.

(C) Permit a defined range of flexibility from approved budgets and the use of negotiated indirect costs rates

(D) Limit the use of funds for construction, as required by federal law.

(2) Minimum standards for procurement to prevent conflict of interest or malfeasance.

(3) Standards regarding property which provide that title to property purchased with funds granted under this chapter or with funds formerly granted pursuant to the federal Economic Opportunity Act of 1964 shall vest in the grantee, subject to conditions requiring prudent property management and the provision for disposition of the property among other grantees in the event of closeout.

(4) Standards for the monitoring and periodic evaluations of grantees pursuant to subdivision (g).

(e) Promulgation of regulations which clearly define all of the following:

(1) The due process rights, including notification, right of appeal, and opportunity for a fair hearing, of grantees, and the procedures to be followed in order to guarantee those rights, in cases of denial of refunding, suspension or termination of funding, or revocation of designation by the office.

(2) The obligation of grantees to provide a fair procedure for clients denied services by grantees.

The office may adopt the prior existing regulations covering this subject matter for a period not to exceed one year from January 1, 1983.

(f) Establishment of procedures for orderly closeout of terminated grantees.

(g) Monitoring and periodic evaluation of grantees, using evaluation methods and standards which have been published prior to the evaluation and which provide grantees an opportunity to respond to evaluation findings.

(h) Development of standards to assure grantees' compliance with federal requirements for public access to records, prohibition of partisan political activities, and nondiscrimination.

(i) Establishment of policies and procedures which assure freedom of information.

(j) Fostering cooperation among grantees, including providing opportunities for grantees to work together and publishing a directory, which shall be periodically updated, of all grantees under this program and the Low-Income Home Energy Assistance Program.

(k) Establishment of procedures for the allocation of the funds available pursuant to subdivision (b) of Section 12785.

12782. The office shall carry out its duties under Section 12781 so as to assure the greatest possible degree of continuity in program management as grantees are transferred from federal to state administration.

12783. Beginning with the 1983–84 fiscal year, the office shall submit an annual report to the Legislature on or before March 1 of each year. The report shall include, but not be limited to, a comparison of each grantee's performance with the terms and conditions of the grantee's statement of grant action.

Article 11. Authorization and Fund Allocations

12785. All Community Services Block Grant funds made available by the Congress in fiscal year 1983 and succeeding years shall be used by the state, together with such state funds as may from time to time be appropriated for this program, and such funds as may be transferred to this program from other federal block grants, in accordance with the annual Budget Act.

No transfer of funds shall be permitted, under any circumstance, from the California Community Services Block Grant Program to any other block grant or program administered by the state or by the federal government.

In the event that diminished federal appropriations for the Community Services Block Grant result in California's share for any federal fiscal year being reduced by 5 percent or more below the amount appropriated in the annual Budget Act, the director and the State Office of Economic Opportunity Advisory Commission shall so inform the Speaker of the Assembly and the President pro Tempore of the Senate by letter within 10 days of the congressional action authorizing the diminished appropriations. At the end of the state fiscal year in which the letters were transmitted, the requirements of this section shall be suspended until the Legislature makes a statutory determination regarding the adjustments in fund allocations to be made in response to the above-described contingency.

Article 12. Repeal

12790. This chapter shall remain in effect only until January 1, 1988, or the Director of Finance finds that federal Community Services Block Grant funding to the state has been terminated and files a report of that finding with each house of the Legislature, whichever is earlier, and as of such date is repealed, unless a later enacted statute, which is chaptered before the earlier of the two dates, deletes or extends such date.

SEC. 4. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the

California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because this act implements a federal law or regulation and involves only "costs mandated by the federal government," as defined by Section 2206 of the Revenue and Taxation Code.

CHAPTER 5

An act to amend Section 22200 of the Education Code, to amend and repeal Section 20100 of, and to add Section 20100 to, the Government Code, relating to governmental agencies.

[Approved by Governor January 2, 1983 Filed with Secretary of State January 2, 1983]

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

SECTION 1. Section 22200 of the Education Code is amended to read:

22200. The system is managed by the Teachers' Retirement Board The members of the board are as follows:

(a) The Superintendent of Public Instruction.

(b) The Controller.

(c) The Treasurer.

(d) One member who, at the time of appointment, is a member of the governing board of a school district or a community college district.

(e) Two members of the State Teachers' Retirement System who, at time of appointment, are classroom teachers in grades kindergarten through 14.

(f) One member or retirant of the system.

(g) One officer of a life insurance company appointed by the Governor for a term of four years, subject to confirmation by the Senate.

(h) One officer of a bank or a savings and loan institution who has had at least five years of broad professional investment experience handling various asset classes such as stocks, bonds, and mortgage investments and who shall be appointed by the Governor for a term of four years, subject to confirmation by the Senate.

The members of the board provided by subdivisions (d), (e), and (f) shall be appointed by the Governor for four-year terms from a list submitted by the Superintendent of Public Instruction.

The members of the board shall annually elect a chairperson and vice chairperson.

SEC. 2. Section 20100 of the Government Code is amended to read:

20100. The board of administration of this system is continued in existence.

It consists of:

(a) One member of the State Personnel Board, selected by and serving at the pleasure of the State Personnel Board.

(b) The Director of the Department of Personnel Administration.

(c) The State Controller

(d) The State Treasurer

(e) An official of a life insurer and an elected official of a contracting agency, and one person representing the public, appointed by the Governor

(f) Six members elected under the supervision of the board as follows:

(1) Two members elected by the members of the system from the membership thereof.

(2) A member elected by the active state members of the system from the state membership thereof.

(3) A member elected by and from the active local members of the system who are employees of a school district or a county superintendent of schools.

(4) A member elected by and from the active local members of the system other than those who are employees of a school district or a county superintendent of schools.

(5) A member elected by and from the retired members of the system.

This section shall remain in effect only until January 15, 1984, and on such date is repealed, unless a later enacted statute which is chaptered on or before January 15, 1984, deletes or extends that date.

SEC. 3. Section 20100 is added to the Government Code, to read:

20100. The board of administration of this system is continued in existence.

It consists of:

(a) One member of the State Personnel Board, selected by and serving at the pleasure of the State Personnel Board.

(b) The Director of the Department of Personnel Administration.

(c) The State Controller.

(d) The State Treasurer.

(e) An official of a life insurer and an elected official of a contracting agency, appointed by the Governor.

(f) One person representing the public, appointed jointly by the Speaker of the Assembly and the Senate Rules Committee.

(g) Six members elected under the supervision of the board as follows:

(1) Two members elected by the members of the system from the membership thereof.

(2) A member elected by the active state members of the system from the state membership thereof

(3) A member elected by and from the active local members of the system who are employees of a school district or a county superintendent of schools.

(4) A member elected by and from the active local members of

the system other than those who are employees of a school district or a county superintendent of schools.

(5) A member elected by and from the retired members of the system.

This section shall become operative on January 16, 1984.

CHAPTER 6

An act to amend Sections 10212 of, and to repeal and add Chapter 4 (commencing with Section 30030) and Chapter 5 (commencing with Section 30040) of Division 18 of, the Elections Code, relating to elections.

[Approved by Governor January 2, 1983 Filed with Secretary of State January 2, 1983]

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

SECTION 1 Section 10212 of the Elections Code is amended to read:

10212 At the first elections for Representative in Congress, State Senator, Assemblyman and Members of the Board of Equalization in each congressional, senatorial, Assembly, and Board of Equalization district following reapportionment acts of the Legislature redefining the boundaries of the congressional, senatorial, Assembly, and Board of Equalization districts pursuant to Section 6 of Article IV, Section 17 of Article XIII, and Section 1 of Article XXI of the Constitution, that candidate who shall be deemed the incumbent in a given district for purposes of the election shall be:

(a) That candidate who is running for the same office which he then holds and who is running for reelection in a district which has the identical boundaries and number as the district from which he was last elected.

(b) In the event there is no candidate to whom the provisions of subdivision (a) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for reelection in a district which has the identical boundaries as the district from which he was last elected, but which has a different number.

(c) In the event there is no candidate to whom the provisions of subdivision (a) or (b) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for reelection in a district which has the identical number as the district from which he was last elected; provided, however, that a candidate for the office of Member of the Assembly shall be considered the incumbent in such case only if the district bearing the same number is located in the same county as the district which previously bore that number.

(d) In the event there is no candidate to whom the provisions of subdivision (a), (b), or (c) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for reelection in a district which contains some portion of the territory previously contained within the district from which he was last elected; provided, that in a new district which contains portions of the territory of more than one former district the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district.

If there is no candidate in a given district to which any of the above provisions apply, the incumbent shall be any person who is a candidate for the same office which he then holds who fulfills the residential requirements of law for candidacy within the district.

SEC. 2. Chapter 4 (commencing with Section 30030) of Division 18 of the Elections Code is repealed.

SEC. 3. Chapter 4 (commencing with Section 30030) is added to Division 18 of the Elections Code, to read:

CHAPTER 4. CONGRESSIONAL DISTRICTS

30030. It is the intent of the Legislature in the enactment of this chapter to implement the United States constitutional mandate as set forth in Section 2 of Article I and the provisions of Article XXI of the California Constitution.

30031. For purposes of this chapter, references to "CT" shall mean "census tract", and references to "Ed" or "Eds" shall mean "enumeration district" or "enumeration districts", respectively, as those demographic units are established by the United States Bureau of the Census for the 1980 census as described by maps and publications of the bureau.

References to "Block Group" and "Blocks", respectively, shall mean those demographic units as established by the United States Bureau of the Census for the 1980 census as described by maps and publications of the Bureau.

In addition, and for purposes of this chapter, references to "city boundaries", "city limits", or "boundaries of the town", respectively, shall refer to the boundaries or limits of the particular city or town as they existed on April 1, 1980, except as is otherwise expressly provided. Reference to a city or town shall refer to the particular incorporated municipality provided for herein.

30032. Congressional District 1: Congressional District 1 shall consist of the following whole counties:

Del Norte
Humboldt
Mendocino

together with the part of Napa County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 2001

CT 2002
CT 2003
CT 2004
CT 2005
CT 2006
CT 2007
CT 2008
CT 2009
CT 2010
CT 2011
Partial Census Tract:
CT 2012, block 399
CT 2013, portions in City of Yountville except blocks 201, 202, and 299

together with the part of Sonoma County not contained in Congressional District 6, together with the part of Lake County not contained in Congressional District 2.

Congressional District 2: Congressional District 2 shall consist of the following whole counties:

Butte
Colusa
Glenn
Shasta
Siskiyou
Sutter
Tehama
Trinity
Yuba

together with the part of Nevada County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 4
Partial Census Tracts:
CT 9—Ed 0568 and Ed 0569

together with the part of Lake County contained in the following whole enumeration districts:

ED 102
ED 116
ED 117
ED 118

together with the part of Napa County not contained in Congessional District 1.

Congressional District 3: Congressional District 3 shall consist of the part of Sacramento County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 1
CT 2
CT 3

CT 4
CT 5
CT 6
CT 7
CT 8
CT 9
CT 10
CT 11
CT 12
CT 13
CT 14
CT 15
CT 16
CT 17
CT 18
CT 19
CT 20
CT 21
CT 22
CT 23
CT 24
CT 25
CT 26
CT 27
CT 28
CT 29
CT 30
CT 31.01
CT 31.02
CT 32.01
CT 32.02
CT 33
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CT 35.01
CT 35.02
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CT 45
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CT 52.01
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CT 52.03
CT 53
CT 54.01
CT 54.02
CT 55.03
CT 55.04
CT 56.01
CT 56.02
CT 57.01
CT 57.02
CT 58.01
CT 58.02
CT 59.02
CT 76
CT 77
CT 78
CT 79.01
CT 79.02
CT 80.01
CT 80.03
CT 80.04
CT 81.05
CT 81.08
CT 82.04
CT 82.05
CT 86
CT 87
CT 88
CT 89.03
CT 89.04
CT 89.05
CT 89.06
CT 90
CT 91.01
CT 91.02
CT 91.03
CT 91.04
CT 92

CT 93.01
CT 93.02
Partial Census Tracts:
CT 59.01—Blocks 101, 115, 121, 122, and 123.
CT 81.06—Block Groups 1 and 2.
CT 96—Portions in the City of Sacramento.

Congressional District 4. Congressional District 4 shall consist of Yolo County, together with the part of Sacramento County not contained in Congressional District 3, together with the part of Solano County contained in the following whole and partial census tracts:

Whole Census Tracts.
CT 2520
CT 2521.02
CT 2521.99
CT 2522
CT 2523.01
CT 2523.02
CT 2523.03
CT 2523 04
CT 2524.01
CT 2524.02
CT 2525.01
CT 2525.02
CT 2526.04
CT 2526.05
CT 2526.06
CT 2526 07
CT 2526.08
CT 2526.09
CT 2527.01
CT 2527.02
CT 2528
CT 2529 02
CT 2529.03
CT 2529.04
CT 2529.05
CT 2530
CT 2531.01
CT 2531.02
CT 2531.03
CT 2532.01
CT 2532.02
CT 2532.03
CT 2533
CT 2534
CT 2535
Partial Census Tracts:
CT 2501.02—That portion not in the City of Vallejo.

CT 2504—That portion not in the City of Vallejo.

CT 2505.01—The incorporated portions of block 120 and the remainder of tract not in the City of Vallejo.

CT 2505.02—The incorporated portions of block 114 and the remainder of tract not in the City of Vallejo.

CT 2506.01—The incorporated portions of block 107 and the remainder of tract not in the City of Vallejo.

CT 2506.02—That portion not in the City of Vallejo.

CT 2507.01—That portion not in the City of Vallejo.

CT 2507.02—That portion not in the City of Vallejo.

CT 2511—That portion not in the City of Vallejo.

CT 2521.01—That portion not in the City of Vallejo.

Congressional District 5: Congressional District 5 shall consist of all of the City and County of San Francisco not contained in Congressional District 6.

Congressional District 6: Congressional District 6 shall consist of the following whole county:

Marin

together with the part of the City and County of San Francisco contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 133
CT 152
CT 153
CT 154
CT 155
CT 156
CT 157
CT 158
CT 159
CT 161
CT 162
CT 163
CT 164
CT 165
CT 166
CT 167
CT 168
CT 169
CT 170
CT 171
CT 401
CT 402
CT 426
CT 427
CT 428
CT 451
CT 452
CT 476

CT 477
CT 478
CT 479
CT 601
CT 602
CT 603
Partial Census Tracts:
CT 160—All except blocks 101 and 102.
together with the part of Sonoma County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 1501
CT 1503.01
CT 1506.01
CT 1506.02
CT 1506.03
CT 1506.04
CT 1507
CT 1508
CT 1509
CT 1510
CT 1511
Partial Census Tracts:
CT 1502—Sonoma City portion excluding Ed 108B
CT 1512.01—Portions not in the City of Rohnert Park.
CT 1512.02—Portions not in the City of Rohnert Park.
CT 1513.04—Portions not in the City of Rohnert Park, and excluding unincorporated blocks 301, 302, 303, 304, 305, 306, and 307.
together with the part of Solano County not contained in whole and partial census tracts including those tracts designating population on vessels which are not contained in Congressional District 4.

Congressional District 7: Congressional District 7 shall consist of the part of Contra Costa County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 3010
CT 3020
CT 3031
CT 3032
CT 3040
CT 3050
CT 3060
CT 3071
CT 3072.01
CT 3072.02
CT 3072.03
CT 3080
CT 3090
CT 3100

CT 3110
CT 3120
CT 3131.01
CT 3131.02
CT 3131.03
CT 3132.01
CT 3132.02
CT 3141
CT 3142
CT 3142.99
CT 3150
CT 3150.99
CT 3160
CT 3170
CT 3180
CT 3190
CT 3200.01
CT 3200.02
CT 3200.99
CT 3211.01
CT 3211 02
CT 3211.03
CT 3212
CT 3220
CT 3230
CT 3240
CT 3250
CT 3260
CT 3270
CT 3280
CT 3290
CT 3300
CT 3310
CT 3320
CT 3331
CT 3332
CT 3340.01
CT 3340.02
CT 3340.03
CT 3350
CT 3361
CT 3362
CT 3371
CT 3372
CT 3373
CT 3381
CT 3382.01
CT 3382.02
CT 3383.01

CT 3383.02
CT 3390
CT 3400.01
CT 3420
CT 3430.01
CT 3430.02
CT 3430.03
CT 3461.01
CT 3461.02
CT 3462.02
CT 3511
CT 3551.01
CT 3551.02
CT 3551.03
CT 3552
CT 3553.01
CT 3553.02
CT 3553.03
CT 3553.04
CT 3553.05
CT 3560.01
CT 3560.02
CT 3570
CT 3580
CT 3580.99
CT 3591.01
CT 3591.02
CT 3592.01
CT 3592.02
CT 3601
CT 3602
CT 3620
CT 3630
CT 3640.01
CT 3640.02
CT 3650.01
CT 3650.02
CT 3660
CT 3671
CT 3672
CT 3680
CT 3690
CT 3700
CT 3710
CT 3720
CT 3730
CT 3740
CT 3750
CT 3760

CT 3770
CT 3780
CT 3780.99
CT 3790
CT 3800
CT 3800.99
CT 3810
CT 3820
CT 3830

Partial Census Tracts:

CT 3400.02—All except that portion in the City of Lafayette.

CT 3410—Portions in the City of Walnut Creek and the unincorporated portions of blocks 102, 104, 105, and 314.

CT 3451.06—That portion contained in Block Group 9.

CT 3462.01—All except Block Group 2.

CT 3470—That portion in the City of Martinez and the City of Pleasant Hill.

CT 3610—All except that portion in the City of El Cerrito.

Congressional District 8: Congressional District 8 shall consist of the part of Contra Costa County not contained in Congressional District 7, including those tracts designating population on vessels that are not contained in Congressional District 7, together with the part of Alameda County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 4001
CT 4002
CT 4003
CT 4004
CT 4005
CT 4006
CT 4007
CT 4008
CT 4009
CT 4010
CT 4011
CT 4012
CT 4013
CT 4014
CT 4015
CT 4016
CT 4017
CT 4017.99
CT 4018
CT 4019
CT 4019.99
CT 4020
CT 4021
CT 4022

CT 4023
CT 4024
CT 4025
CT 4026
CT 4027
CT 4028
CT 4029
CT 4030
CT 4031
CT 4032
CT 4032.99
CT 4033
CT 4034
CT 4035
CT 4036
CT 4037
CT 4038
CT 4039
CT 4040
CT 4041
CT 4042
CT 4043
CT 4044
CT 4045
CT 4046
CT 4047
CT 4048
CT 4049
CT 4050
CT 4051
CT 4052
CT 4053
CT 4054
CT 4055
CT 4056
CT 4057
CT 4058
CT 4059
CT 4060
CT 4061
CT 4062
CT 4063
CT 4064
CT 4065
CT 4067
CT 4068
CT 4069
CT 4073
CT 4078

CT 4079
CT 4080
CT 4081
CT 4088
CT 4089
CT 4091
CT 4092
CT 4093
CT 4094
CT 4095
CT 4096
CT 4102
CT 4103
CT 4104
CT 4201
CT 4202
CT 4203
CT 4204
CT 4205
CT 4206
CT 4211
CT 4212
CT 4213
CT 4214
CT 4215
CT 4216
CT 4217
CT 4218
CT 4219
CT 4220
CT 4221
CT 4222
CT 4223
CT 4224
CT 4225
CT 4226
CT 4227
CT 4228
CT 4229
CT 4230
CT 4231
CT 4232
CT 4233
CT 4234
CT 4235
CT 4236
CT 4237
CT 4238
CT 4239

CT 4240
CT 4251
CT 4261
CT 4262

Partial Census Tracts:

CT 4066—All except blocks 203, 204, and 205 and Block Group 1 excluding blocks 101, 102, 103, 104, and 105.

CT 4090—That portion east of Doolittle Drive.

Congressional District 9: Congressional District 9 shall consist of the part of Alameda County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 4070
CT 4071
CT 4072
CT 4074
CT 4075
CT 4076
CT 4077
CT 4082
CT 4083
CT 4084
CT 4085
CT 4086
CT 4087
CT 4097
CT 4098
CT 4099
CT 4100
CT 4101
CT 4271
CT 4272
CT 4272.99
CT 4273
CT 4273.99
CT 4274
CT 4274.99
CT 4275
CT 4275.99
CT 4276
CT 4277
CT 4278
CT 4279
CT 4280
CT 4281
CT 4282
CT 4283
CT 4284
CT 4285

CT 4286
CT 4301
CT 4302
CT 4303
CT 4304
CT 4305
CT 4306
CT 4307
CT 4308
CT 4309
CT 4310
CT 4311
CT 4312
CT 4321
CT 4322
CT 4323
CT 4324
CT 4325
CT 4326
CT 4327
CT 4328
CT 4329
CT 4330
CT 4331
CT 4332
CT 4333
CT 4334
CT 4335
CT 4336
CT 4337
CT 4338
CT 4339
CT 4340
CT 4351
CT 4352
CT 4353
CT 4354
CT 4355
CT 4356
CT 4357
CT 4358
CT 4359
CT 4360
CT 4361
CT 4362
CT 4363
CT 4364
CT 4365
CT 4366

CT 4367
CT 4368
CT 4369
CT 4370
CT 4371
CT 4372
CT 4373
CT 4374
CT 4375
CT 4376
CT 4377
CT 4378
CT 4379
CT 4380
CT 4381
CT 4382
CT 4383
CT 4384
CT 4402
CT 4403.01
CT 4403.02
CT 4403.03
CT 4403.05
CT 4501
CT 4502
CT 4503
CT 4504
CT 4505
CT 4506.01
CT 4506.02
CT 4506.03
CT 4506.04
CT 4506.05
CT 4506.06
CT 4506.07
CT 4507.01
CT 4507.02
CT 4507.03
CT 4507.04
CT 4511
CT 4512
CT 4513
CT 4514
CT 4515
CT 4516
CT 4517
Partial Census Tracts:
CT 4066—That portion not contained in Congressional District 8.
CT 4090—That portion west of Doolittle Drive.

CT 4403.04—Blocks 303, 305, 307, 308, 309, and 310.

Congressional District 10: Congressional District 10 shall consist of the part of Alameda County not contained in Congressional District 8 and Congressional District 9, together with the part of Santa Clara County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 5001
CT 5002
CT 5003
CT 5004
CT 5005
CT 5006
CT 5007
CT 5008
CT 5009
CT 5010
CT 5011
CT 5012
CT 5013
CT 5014
CT 5015
CT 5016
CT 5017
CT 5018
CT 5019
CT 5031.01
CT 5031.02
CT 5031.03
CT 5031.04
CT 5032.03
CT 5032.04
CT 5032.05
CT 5033.04
CT 5033.05
CT 5033.06
CT 5033.07
CT 5034
CT 5035.02
CT 5035.03
CT 5035.04
CT 5035.05
CT 5036.01
CT 5036.02
CT 5037.02
CT 5037.03
CT 5037.04
CT 5037.05
CT 5038.01
CT 5038.02

CT 5039
CT 5040
CT 5041
CT 5042
CT 5043.03
CT 5043.04
CT 5043.05
CT 5043.06
CT 5043.07
CT 5043.08
CT 5044.02
CT 5044.06
CT 5044.07
CT 5044.08
CT 5044.09
CT 5044.10
CT 5044.11
CT 5045.01
CT 5045.03
CT 5049.02
CT 5050.02
CT 5051

Partial Census Tracts:

CT 5020—Excluding that part south of Scott Street and west of Leland Avenue.

CT 5033.08—Portions east of White Road and blocks 311, 312, 313, and 314.

CT 5046.02—All except portions in the cities of Sunnyvale and Santa Clara.

Congressional District 11: Congressional District 11 shall consist of the part of San Mateo County not included in Congressional District 12.

Congressional District 12: Congressional District 12 shall consist of the part of San Mateo County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 6056
CT 6057
CT 6114
CT 6115
CT 6124
CT 6125
CT 6126
CT 6127
CT 6128
CT 6129
CT 6130
CT 6131
CT 6132

CT 6133
CT 6134
CT 6138
Partial Census Tracts:
CT 6050—All except portions in the City of Burlingame.
CT 6068—That unincorporated portion of Block Group 1 and block 916.
CT 6069—All except portions in the City of San Mateo.
CT 6122—Blocks 508, 510, 511, and 512.
CT 6135—Ed 1 and blocks 911, 912, 913, and 914 and the unincorporated portion of block 910.
CT 6137—All except portions in the City of Half Moon Bay.
together with the part of Santa Cruz County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 1203
CT 1204
CT 1205
CT 1206
CT 1209
CT 1210
Partial Census Tracts:
CT 1202—Eds 541 and 543.
CT 1212—Portions in the City of Scotts Valley.
together with the part of Santa Clara County not contained in Congressional Districts 10 and 13.

Congressional District 13: Congressional District 13 shall consist of the part of Santa Clara County contained in the following whole and partial census tracts.
Whole Census Tracts:
CT 5021.01
CT 5021.02
CT 5022
CT 5023
CT 5024
CT 5025
CT 5026.01
CT 5026.02
CT 5027.01
CT 5027.02
CT 5028
CT 5029.01
CT 5029.02
CT 5029.03
CT 5029.05
CT 5029.06
CT 5029.07
CT 5029.08
CT 5030.01

CT 5030.02
CT 5030.03
CT 5032.06
CT 5032.07
CT 5032.08
CT 5033.09
CT 5049.01
CT 5050.01
CT 5052.02
CT 5052.03
CT 5053.02
CT 5053.03
CT 5053.04
CT 5053.05
CT 5054.01
CT 5054.02
CT 5054.03
CT 5055
CT 5056
CT 5057
CT 5058
CT 5059
CT 5060
CT 5061.01
CT 5061.02
CT 5061.03
CT 5062.02
CT 5062.03
CT 5062.04
CT 5063.01
CT 5063.02
CT 5063.04
CT 5063.05
CT 5064.01
CT 5064.02
CT 5065.01
CT 5065.02
CT 5065.03
CT 5066.01
CT 5066.03
CT 5066.04
CT 5066.05
CT 5066.06
CT 5067.01
CT 5067.02
CT 5067.03
CT 5068.01
CT 5068.02
CT 5068.03

CT 5068.04
CT 5069
CT 5079.01
CT 5079.03
CT 5119.01
CT 5119.03
CT 5119.04
CT 5119.05
CT 5119.07
CT 5120.02
CT 5120.05
CT 5120.06
CT 5120.07
CT 5120.08
CT 5120.09
CT 5120.10
CT 5120.11
CT 5120.12
CT 5120.13
CT 5120.14
CT 5120.15
CT 5120.16

Partial Census Tracts:

CT 5020—Portions not in Congressional District 10.
CT 5033.08—Portions not in Congressional District 10.
CT 5033.10—Block 141.
CT 5046.02—Portions not in Congressional District 10.
CT 5052.01—That portion in the City of Santa Clara.
CT 5053.01—All except portions in the City of Sunnyvale.
CT 5070—That portion in the Town of Los Gatos and the unincorporated portions of blocks 101 and 102.
CT 5071—Portions in the Town of Los Gatos and the unincorporated portions of Block Group 5 and block 425.
CT 5072.02—That portion in the Town of Los Gatos.
CT 5072.03—All except portions in the City of Monte Sereno.
CT 5072.04—Portions in the Town of Los Gatos and the City of Campbell and the unincorporated portions of Blocks 215, 216, 219, 251, and 252.
CT 5078.04—That portion in the City of San Jose.
CT 5079.04—That portion in the City of San Jose.
CT 5080.02—Excluding that portion in the City of Cupertino.
CT 5081.02—That portion in the City of Santa Clara.
CT 5082.02—That portion in the City of Santa Clara.
CT 5085.06—That portion in the City of Santa Clara.
CT 5087.02—That portion in the City of Santa Clara.
CT 5119.06—Blocks 502 through 518 and blocks 520 and 521.
CT 5119.08—Blocks 620 through 632.

Congressional District 14: Congressional District 14 shall consist of the following whole counties:

Alpine
Amador
El Dorado
Lassen
Modoc
Placer
Plumas
Sierra

together with the part of Nevada County not contained in Congressional District 2 and the part of San Joaquin County not contained in Congressional District 18.

Congressional District 15: Congressional District 15 shall consist of the following whole counties.

Mariposa
Merced
Stanislaus

together with the part of Fresno County contained in the following whole and partial census tracts.

Whole Census Tracts:
CT 16
CT 17
CT 39
CT 40
CT 41
CT 70
CT 71
CT 72
CT 73
CT 74
CT 75
CT 76
CT 77
CT 78
CT 79
CT 80
CT 81
CT 82
CT 83
CT 84.01
CT 84.02

Partial Census Tracts:
CT 8—The unincorporated portions of blocks 901 and 906.
CT 18—Portions not in the City of Fresno.
CT 19—Portions not in the City of Fresno.
CT 38—Portions not in the City of Fresno except block 926 and Block Group 1 excluding blocks 108, 109, and 116.
CT 68—All except portions in the City of Reedley.

Congressional District 16: Congressional District 16 shall consist of the following whole counties:

Monterey
San Benito
together with the part of Santa Cruz County not contained in Congressional District 12 and together with the part of San Luis Obispo County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 104
CT 105
CT 106
CT 106.99
CT 109
CT 110
CT 111
CT 112
CT 113
Partial Census Tracts:
CT 107—Portions of the City of Morro Bay and Eds 0083, 0084T, 0084U, 0085T, and 0085U.
CT 108—All except those portions south of Los Osos Valley Road that are not in the City of San Luis Obispo.
CT 115—Portions in the City of San Luis Obispo and Eds 122, 125, 126, 127, 178A, and 178B.
CT 116—Portions in the City of San Luis Obispo.
Congressional District 17: Congressional District 17 shall consist of the following whole counties:
Kings
Tulare
together with the part of Fresno County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 14.03
CT 14.04
CT 31.02
CT 42.02
CT 43
CT 44.01
CT 44.02
CT 45.03
CT 45.04
CT 45.05
CT 45.06
CT 54.06
CT 54.07
CT 55.01
CT 55.02
CT 56.01
CT 56.02
CT 57

CT 63
CT 64.01
CT 64.02
CT 64.03
CT 65
CT 66
CT 67

Partial Census Tracts:

CT 14.01—Blocks 112, 206, 207, 910 and the unincorporated portions of Block Group 1 and blocks 205, 307, 909, 919, and 920.

CT 31.01—Portions in the City of Clovis.

CT 46—Block Group 1 and blocks 201, 202, 203, 204, 213, 214, 215, 216, 217, 218, 219, and 220.

CT 50—Block Groups 3 and 4.

CT 58—Portions in the City of Clovis and unincorporated portions of blocks 115, 906, 907, 910, 912, 913, 914, 917, 918, 919, 924, 925, and 926.

CT 59.01—Portions north of Kings Canyon Road.

CT 59.02—Portions north of Kings Canyon Road.

CT 68—Portions in the City of Reedley.

together with the part of Kern County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 11.01
CT 11.02
CT 11.03
CT 23.01
CT 43
CT 44
CT 46
CT 47
CT 48
CT 49
CT 50

Partial Census Tracts:

CT 9.06—All except portions in the City of Bakersfield and blocks 103, 104, 105, 106, 117, and 123.

CT 9.07—All except portions in the City of Bakersfield.

CT 10—All except portions in the City of Bakersfield.

CT 12—All except portions in the City of Bakersfield.

CT 23.02—All except portions in the City of Bakersfield.

CT 24—The unincorporated portions of Block Group 2 and block 403.

CT 25—Blocks 106, 107, 108, 109, 113, and 114.

CT 51.01—All except those portions in the cities of Bakersfield and Tehachapi and Eds 317, 318, 319, 320, and 325.

Congressional District 18: Congressional District 18 shall consist of the following whole counties:

Calaveras

Madera
Mono
Tuolumne
together with the part of Fresno County not contained in Congressional Districts 15 and 17,
together with the part of San Joaquin County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 1
CT 2
CT 3
CT 4
CT 5
CT 6
CT 7
CT 8
CT 9
CT 10
CT 11.01
CT 11.02
CT 13
CT 15
CT 16
CT 17
CT 18
CT 19
CT 20
CT 21
CT 22
CT 23
CT 24
CT 25
CT 26
CT 27.01
CT 27.02
CT 29
CT 31.03
CT 33.03
CT 33.06
CT 33.07
CT 34.01
CT 34.02
CT 36.01
CT 36.02
CT 48
Partial Census Tracts:
CT 12—Block Groups 2, 3, and 5, and blocks 418, 419, 422, 423, 424, 426, 427, 430, and 431.
CT 37—All except the unincorporated portions of Block Group 4.

CT 47—Portions in Ed 3.

Congressional District 19: Congressional District 19 shall consist of the following whole county:

Santa Barbara

together with the part of Ventura County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 2
CT 4
CT 5
CT 6
CT 7
CT 8
CT 11
CT 12.01
CT 12.02
CT 12.03
CT 12.04
CT 12.05
CT 13
CT 14
CT 15.01
CT 15.02
CT 16.01
CT 16.02
CT 17
CT 18
CT 19
CT 20
CT 21.01
CT 21.02
CT 22
CT 23
CT 24
CT 25
CT 26
CT 27
CT 28.01
CT 28.02
CT 29
CT 30
CT 31
CT 32
CT 33
CT 34
CT 35
CT 37
CT 38
CT 39

CT 40
CT 41
CT 45
CT 47.01
CT 47.03
CT 49
CT 50

Partial Census Tracts:

CT 1—Portions north of the southern line of Sespe Condor Sanctuary west to T5N/T4N and its western extension to the tract boundary.

CT 10—All except portions in the City of Ojai.

CT 47.02—All except Block group 3 in the City of Oxnard and unincorporated portions of blocks 304 and 305.

Congressional District 20: Congressional District 20 shall consist of the following whole county:

Inyo

together with the part of Kern County not contained in Congressional District 17, together with the part of San Luis Obispo County not contained in Congressional District 16, together with the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 9006.01
CT 9006.02
CT 9006.03
CT 9007.02
CT 9008.01
CT 9008.02
CT 9009
CT 9010
CT 9011
CT 9012.01
CT 9012.02
CT 9200.01
CT 9203.21

Partial Census Tracts:

CT 9003—That portion in the City of Lancaster.

CT 9005—All except portions in the City of Palmdale.

CT 9201—Blocks 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, and 202.

Congressional District 21: Congressional District 21 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 1011
CT 1012
CT 1013
CT 1014

CT 1021.01
CT 1031.01
CT 1031.02
CT 1032.01
CT 1033.01
CT 1033.02
CT 1034
CT 1063
CT 1081
CT 1082
CT 1112.01
CT 1112.04
CT 1131
CT 1132.01
CT 1132.02
CT 1133.01
CT 1133.02
CT 1133.03
CT 1153.01
CT 1154.01
CT 1372.02
CT 5990
CT 5991
CT 8002
CT 8003.01
CT 8003.21
CT 8003.22
CT 9007.01
CT 9202
CT 9203.03
CT 9203.23

Partial Census Tracts:

CT 1021.02—Portions not in Congressional District 26.
CT 1032.02—Portions not in Congressional District 26.
CT 1061.01—Block Group 1 and blocks 234, 306, 307, 310, 311, 326, 327, 328, and 330.
CT 1061.02—Blocks 210, 211, 212, 214, 216, and 224.
CT 1062—Blocks 104, 105, 106, 107, 108, 109, 110, 128, 215, 216, 219, 221, 222, 223, 224, 234, 240, 241, 246, 247, 248, 260, 261, 262, and 263.
CT 1064—Blocks 206, 235, 305, 307, 308, 309, 310, 311, 313, 431, and 432.
CT 1065—Portions not in Congressional District 26.
CT 1066.02—Portions not in Congressional District 26.
CT 1066.03—Portions not in Congressional District 26.
CT 1066.04—Portions not in Congressional District 26.
CT 1111.01—Blocks 123, 124, and 125.
CT 1111.02—Block Group 7.
CT 1112.02—Portions not in Congressional District 26.
CT 1112.03—Portions not in Congressional District 26.

CT 1132.03—Portions not in Congressional District 23.
CT 1134.01—Portions not in Congressional District 23.
CT 1134.02—Portions not in Congressional District 23.
CT 1151.01—Portions not in Congressional District 26.
CT 1151.02—Portions not in Congressional District 23.
CT 1152.01—Portions not in Congressional District 23.
CT 1152.02—Portions not in Congressional District 23.
CT 1153.02—Portions not in Congressional District 23.
CT 1173.02—Blocks 105, 106, 201, 202, 203, 204, 205, 206, 207, 208, 209, 301, 302, 303, 305, 309, 310, 311, 312, 313, 320, and 321.
CT 1344.01—Blocks 105, 106, 107, 109, 110, 111, 112, 113, 201, 202, 203, 204, 205, 206, 207, 222, 223, 224, and 932.
CT 1344.02—All except Block Group 3 and blocks 110, 111, 112, 210, 211, 212, 219, 225, and 226.
CT 1352.01—Blocks 201, 203, 205, 206, 207, 208, and 209.
CT 1352.02—Blocks 306, 307, 308, 309, 310, and 311.
CT 1352.03—Blocks 414, 415, 416, and 421.
CT 1373.01—Blocks 102, 106, 107, 108, 109, 113, 115, 118, 119, 120, 121, 122, and 124.
CT 1373.02—Block 205.
CT 1373.03—Blocks 102, 103, 105, 106, 107, 114, 133, 137, and 138.
CT 8004—Ed 400.
CT 9201—Portions not in Congressional District 20.
CT 9203.12—Portions not in Congressional District 22.
CT 9302—That portion not in Congressional District 22.
together with the part of Ventura County not contained in Congressional District 19.

Congressional District 22: Congressional District 22 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 3001
CT 3002
CT 3003
CT 3004
CT 3005
CT 3006
CT 3007.01
CT 3007.02
CT 3008
CT 3009
CT 3010
CT 3011
CT 3012.01
CT 3012.02
CT 3013
CT 3014
CT 3015
CT 3016

CT 3017
CT 3018
CT 3019
CT 3020
CT 3021.01
CT 3021.02
CT 3022
CT 3023
CT 3024
CT 3025.01
CT 3025.02
CT 3101
CT 3102
CT 3103
CT 3115
CT 3116
CT 4303
CT 4304
CT 4305.01
CT 4305.02
CT 4306
CT 4307.01
CT 4307.21
CT 4307.22
CT 4308.01
CT 4308.02
CT 4308.03
CT 4309
CT 4310
CT 4313
CT 4314
CT 4316
CT 4317
CT 4318
CT 4319
CT 4320
CT 4600
CT 4601
CT 4605.01
CT 4605.02
CT 4606
CT 4607
CT 4612
CT 4613
CT 4614
CT 4625
CT 4626
CT 4629
CT 4630

CT 4631.01
CT 4631.02
CT 4632
CT 4635
CT 4636
CT 4637
CT 4639
CT 4640
CT 4641
CT 4642
CT 4800.01
CT 4801.01
CT 4805
CT 4806
CT 4807.01
CT 4807.02
CT 4812.01
CT 9102
CT 9103
CT 9108.01
CT 9200.03
CT 9200.21
CT 9200.22
CT 9200.23
CT 9200.24
CT 9200.25
CT 9203.11
CT 9203.13
CT 9203.22
CT 9301

Partial Census Tracts:

CT 3104—Portions not in Congressional District 26.
CT 3106—Portions not in Congressional District 26.
CT 3107—Portions not in Congressional District 26.
CT 3108—Portions not in Congressional District 26.
CT 3109—Portions not in Congressional District 26.
CT 3114—Portions not in Congressional District 26.
CT 3117—Portions not in Congressional District 26.
CT 3118—Portions not in Congressional District 26.
CT 4311—Portions not in Congressional District 30.
CT 4312—Portions not in Congressional District 30.
CT 4315—Portions not in Congressional District 30.
CT 4321.01—Portions not in Congressional District 30.
CT 4321.02—Portions not in Congressional District 30.
CT 4323—Portions not in Congressional District 30.
CT 4325—Portions not in Congressional District 30.
CT 4633—All except blocks 205, 206, 207, 216, 217, and 218.
CT 4634—Blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 213, 214, 217, 218, 219, 220, 221, 301, 302, and 303.

CT 4800.02—Portions not in Congressional District 30.
CT 4801.02—All except portions in Congressional District 30.
CT 9104—All except Block Group 4.
CT 9108.02—All except Ed 149.
CT 9203.12—Blocks 427 and 435.
CT 9302—That portion of Ed 75 except that portion south of Herreres and Olive Canyon and west of Power and Light Road and its southern extension to the south tract boundary east of Power and Light Road.

Congressional District 23: Congressional District 23 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 1154.02
CT 1273
CT 1274
CT 1275
CT 1276.01
CT 1276.02
CT 1283.02
CT 1284
CT 1287.02
CT 1288
CT 1311
CT 1312
CT 1313
CT 1314
CT 1315
CT 1316
CT 1317
CT 1318
CT 1319
CT 1321
CT 1322
CT 1323
CT 1324
CT 1325
CT 1326
CT 1327
CT 1328
CT 1329
CT 1331.01
CT 1331.02
CT 1341.01
CT 1341.02
CT 1342.01
CT 1342.02
CT 1343.01
CT 1343.02

CT 1343.03
CT 1345
CT 1346
CT 1347
CT 1348.01
CT 1348.02
CT 1349.01
CT 1349.02
CT 1351.01
CT 1351.02
CT 1371.01
CT 1371.02
CT 1372.01
CT 1374.01
CT 1374.02
CT 1375.01
CT 1375.02
CT 1375.03
CT 1375.04
CT 1376
CT 1391
CT 1392
CT 1393
CT 1394
CT 1397.03
CT 1398.01
CT 1398.02
CT 2149
CT 2164
CT 2165
CT 2166
CT 2621
CT 2622
CT 2623.01
CT 2623.02
CT 2623.03
CT 2625
CT 2641.01
CT 2651
CT 2652
CT 2653.01
CT 2653.02
CT 2654.01
CT 2654.02
CT 2655
CT 2656
CT 2657
CT 2671
CT 2672

CT 2673
CT 2677
CT 2678
CT 2679
CT 2691
CT 2692
CT 2693
CT 2694
CT 2695
CT 2696
CT 2697
CT 2698
CT 2702
CT 2703
CT 7002
CT 7003
CT 7005
CT 7006
CT 7007
CT 7008
CT 7009.01
CT 7009.02
CT 7010
CT 7011
CT 8001
CT 8005

Partial Census Tracts:

CT 1132.03—Block Group 1 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 214, and 215.

CT 1134.01—Blocks 110, 111, 112, 113, 114, 115, 201, 202, 203, 204, 309, 310, 311, and 312.

CT 1134.02—All except Block Group 1 and blocks 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 301, 302, 303, 304, 305, 405, 406, 407, 408, 409, 410, 606, 607, 608, 609, 610, 611, 617, and 618.

CT 1151.02—Blocks 116, 117, and 119.

CT 1152.01—Blocks 105, 106, 107, 108, 109, 112, 207, 209, 210, 211, 212, and 213.

CT 1152.02—Blocks 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 119, 211, 212, 213, 214, 215, 216, 219, 301, 302, 303, 305, 306, 307, 308, 309, 317, and 324.

CT 1153.02—All except blocks 104, 105, 106, 107, 108, 109, 110, 111, 112, and 113.

CT 1246—Portions not in Congressional District 26.

CT 1272—Portions not in Congressional District 26.

CT 1283.01—Block Group 4 and blocks 304, 305, 306, 309, 310, and 311.

CT 1285—Blocks 209, 211, 213, 214, 216, 301, 302, 303, 304, 305, 306, 307, 308, and 309.

CT 1287.01—Portions not in Congressional District 26.

CT 1344.01—That portion not in Congressional District 21.
CT 1344.02—That portion not in Congressional District 21.
CT 1352.01—That portion not in Congressional District 21.
CT 1352.02—That portion not in Congressional District 21.
CT 1352.03—That portion not in Congressional District 21.
CT 1373.01—That portion not in Congressional District 21.
CT 1373.02—That portion not in Congressional District 21.
CT 1373.03—That portion not in Congressional District 21.
CT 1395—That portion not in Congressional District 26.
CT 2624—That portion not in Congressional District 27.
CT 2626—Block Groups 1 and 2, and blocks 903, 904, 905, 906, 907, 917, 918, 919, 923, 924, 925, and 927.
CT 7004—That portion not in Congressional District 24.
CT 8004—That portion not in Congressional District 21.

Congressional District 24: Congressional District 24 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 1223
CT 1224
CT 1231.01
CT 1231.02
CT 1232
CT 1233.01
CT 1238
CT 1239
CT 1241.01
CT 1241.02
CT 1242.01
CT 1242.02
CT 1243
CT 1252
CT 1253
CT 1254
CT 1255
CT 1256
CT 1431
CT 1432
CT 1436.01
CT 1437
CT 1438.01
CT 1438 02
CT 1873
CT 1881
CT 1882.01
CT 1882.02
CT 1883
CT 1891
CT 1892

CT 1893
CT 1894
CT 1895
CT 1896
CT 1897.01
CT 1897.02
CT 1898
CT 1899
CT 1901
CT 1902
CT 1903.01
CT 1903.02
CT 1904
CT 1905
CT 1906
CT 1907
CT 1908
CT 1909
CT 1911
CT 1912.01
CT 1912.02
CT 1913
CT 1914
CT 1915
CT 1916.01
CT 1916.02
CT 1917
CT 1918
CT 1919.01
CT 1919.02
CT 1921
CT 1922
CT 1923
CT 1924
CT 1925
CT 1926
CT 1927
CT 1941
CT 1944
CT 1945
CT 1951
CT 1952
CT 1953
CT 1954
CT 1955
CT 1956
CT 1957
CT 1958
CT 1959

CT 1973
CT 1974
CT 1975
CT 2084
CT 2085
CT 2086
CT 2111
CT 2112
CT 2113
CT 2114
CT 2115
CT 2116
CT 2117
CT 2118
CT 2119
CT 2121
CT 2125
CT 2126
CT 2141
CT 2142
CT 2143
CT 2144
CT 2145
CT 2146
CT 2147
CT 2148
CT 2151
CT 2152
CT 2153
CT 2161
CT 2162
CT 2163
CT 2167
CT 2168
CT 2169
CT 3200
CT 7001

Partial Census Tracts:

CT 1233.02—All except Block Group 4 and blocks 305 and 306.

CT 1871—All except portions southeast of the Glendale Freeway.

CT 1872—All except blocks 201, 202, 203, 204, 205, 206, 209, and 210.

CT 2087—All except blocks 103, 104, 105, and 106.

CT 2124—That portion not in Congressional District 28.

CT 2127—That portion not in Congressional District 28.

CT 2128—All except blocks 101, 102, 103, 104, 106, 201, 206, 301, 302, and 303.

CT 7004—All Block Group 1 except blocks 111 and 113.

Congressional District 25: Congressional District 25 shall consist of the part of Los Angeles County contained in the following whole and

partial census tracts:
Whole Census Tracts:
CT 1811
CT 1812
CT 1813
CT 1814
CT 1815
CT 1816
CT 1831.01
CT 1831.02
CT 1832
CT 1833
CT 1834
CT 1835
CT 1836
CT 1837
CT 1838
CT 1851
CT 1852.01
CT 1852.02
CT 1853
CT 1861
CT 1862
CT 1863
CT 1864
CT 1971
CT 1972
CT 1976
CT 1977
CT 1991
CT 1992
CT 1993
CT 1994
CT 1995
CT 1996
CT 1997
CT 1998
CT 1999
CT 2011
CT 2012
CT 2013
CT 2014.01
CT 2014.02
CT 2015.01
CT 2015.02
CT 2016
CT 2017
CT 2031
CT 2032

CT 2033
CT 2034
CT 2035
CT 2036
CT 2037
CT 2038
CT 2039
CT 2041
CT 2042
CT 2043
CT 2044
CT 2045.01
CT 2045.02
CT 2046
CT 2047
CT 2048
CT 2049
CT 2051
CT 2061
CT 2062
CT 2063
CT 2064
CT 2065
CT 2071
CT 2072
CT 2073
CT 2074
CT 2075
CT 2076
CT 2077
CT 2078
CT 2079
CT 2081
CT 2082
CT 2083
CT 2091
CT 2092
CT 2261
CT 2262
CT 2263
CT 4602
CT 4603
CT 4604
CT 4608
CT 4609
CT 4610
CT 4611
CT 4615
CT 4616

CT 4617
CT 4619
CT 4620
CT 4621
CT 4622
CT 4623
CT 4624
CT 4627
CT 4628
CT 4638
CT 5303
CT 5305
CT 5306
CT 5307
CT 5308
CT 5309
CT 5310
CT 5311
CT 5312
CT 5314
CT 5315
CT 5316.01
CT 5316.02

Partial Census Tracts:

CT 1871—Portions not in Congressional District 24.
CT 1872—Portions not in Congressional District 24.
CT 2241—Portions not in Congressional District 28.
CT 2266—Portions not in Congressional District 29.
CT 4633—Portions not in Congressional District 22.
CT 4634—Portions not in Congressional District 22.
CT 5304—Portions not in Congressional District 30.
CT 5313—Portions not in Congressional District 30.

Congressional District 26: Congressional District 26 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 1041.01
CT 1041.02
CT 1042.01
CT 1042.02
CT 1043
CT 1044
CT 1045
CT 1046
CT 1047
CT 1048
CT 1066.01
CT 1067
CT 1068

CT 1091
CT 1092
CT 1093
CT 1094
CT 1095
CT 1096.01
CT 1096.02
CT 1097
CT 1098.01
CT 1098.02
CT 1113.01
CT 1113.02
CT 1114.01
CT 1114.02
CT 1171
CT 1172.01
CT 1172.02
CT 1173.01
CT 1173.03
CT 1174.01
CT 1174.02
CT 1174.03
CT 1175
CT 1176
CT 1191
CT 1192
CT 1193
CT 1194
CT 1195
CT 1196
CT 1197
CT 1198
CT 1199
CT 1201.01
CT 1201.02
CT 1202
CT 1203
CT 1204
CT 1211
CT 1212
CT 1213
CT 1214
CT 1215
CT 1216
CT 1217
CT 1218
CT 1219
CT 1221
CT 1222

CT 1234
CT 1235
CT 1236.01
CT 1236.02
CT 1237
CT 1244
CT 1245
CT 1247
CT 1248
CT 1249.01
CT 1249.02
CT 1251
CT 1271.01
CT 1271.02
CT 1277
CT 1278.01
CT 1278.02
CT 1279
CT 1281
CT 1282
CT 1286
CT 1289
CT 1396
CT 1397.01
CT 1397.02
CT 1411
CT 1412
CT 1413.01
CT 1413.02
CT 1414
CT 1415
CT 1416
CT 1417
CT 1433
CT 1434.01
CT 1434.02
CT 1435
CT 1436.02
CT 1439.01
CT 1439.02
CT 1942
CT 1943
CT 2611.01
CT 2611.02
CT 2612
CT 3105
CT 3110
CT 3111
CT 3112

CT 3113
CT 3201
CT 3202
CT 3203
Partial Census Tracts:
CT 1021.02—Blocks 111, 118, 205, 210, 301, 302, 303, 304, 305, 306, 401, 402, 403, 404, 405, and 406.
CT 1032.02—Blocks 104, 105, 106, 107, 108, 109, 110, 111, 117, and 118.
CT 1061.01—Portions not in Congressional District 21.
CT 1061.02—Portions not in Congressional District 21.
CT 1062—Portions not in Congressional District 21.
CT 1064—Portions not in Congressional District 21.
CT 1065—All except blocks 405, 408, 412, 413, 414, 905, 907, 908, 917, 918, 922, 923, 924, 925, 926, 927, and 928.
CT 1066.02—Blocks 901, 902, and 903.
CT 1066.03—Blocks 106, 107, 108, 111, 112, and 113.
CT 1066.04—Block Group 1 except blocks 111, 112, and 113; and blocks 906, 907, 910, 911, 912, and 922.
CT 1111.01—Portions not in Congressional District 21.
CT 1111.02—Portions not in Congressional District 21.
CT 1112.02—Block Group 1 and blocks 201, 202, 203, 211, 212, 213, 214, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 324, 325, and 326.
CT 1112.03—Blocks 106, 107, 108, 109, 110, 111, 116, 117, 201, 202, 203, 205, 206, 207, 208, 209, 504, 505, 506, 507, 508, 509, and Block Group 4.
CT 1151.01—Blocks 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 126, 127, 202, 206, 207, 210, 211, 212, 222, 223, 227, 317, and 318.
CT 1173.02—Portions not in Congressional District 21.
CT 1233.02—Portions not in Congressional District 24.
CT 1246—Block Group 1.
CT 1272—Blocks 101, 102, 103, 104, 106, 107, 109, 110, 407, 409, 410, 411, and 412.
CT 1283.01—Portions not in Congressional District 23.
CT 1285—Portions not in Congressional District 23.
CT 1287.01—Block Group 1.
CT 1395—Blocks 101, 104, 105, 106, 107, 108, 111, 112, 201, 212, and 213.
CT 3104—Blocks 303, 304, 305, 306, 307, 308, 309, 312, 313, 316, 317, 318, 401, 402, 403, 404, 405, and 406.
CT 3106—Blocks 502, 505, 506, 508, 510, 511, 512, 602, 603, 608, 609, 610, 611, 612, 613, 614, 615, 616, and 617.
CT 3107—Blocks 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 210, 213, 214, 215, 216, 217, 301, 302, 303, 304, 305, 306, 311, 312, 313, 314, 401, 402, 403, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 514, 518, 521, 522, 601, 611, 613, and 621.

CT 3108—Blocks 304, 309, 310, 401, 404, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506, and 507.

CT 3109—All except blocks 703, 704, 705, 706, 707, and 708.

CT 3114—Blocks 207, 301, 304, 305, 306, 307, and 308.

CT 3117—Blocks 101, 102, 103, 104, 105, and 106.

CT 3118—Blocks 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 403, 404, 405, 406, 407, 408, 410, and 411.

Congressional District 27: Congressional District 27 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 2627.01
CT 2627.02
CT 2628
CT 2641.02
CT 2642
CT 2643.01
CT 2643.02
CT 2674.01
CT 2674.02
CT 2675.01
CT 2675.02
CT 2676
CT 2699.01
CT 2699.02
CT 2701
CT 2711.01
CT 2711.02
CT 2712
CT 2713
CT 2714
CT 2715
CT 2716
CT 2717.01
CT 2717.02
CT 2718
CT 2719
CT 2721
CT 2731
CT 2732
CT 2733
CT 2734
CT 2735
CT 2736
CT 2737
CT 2738
CT 2739
CT 2741
CT 2742

CT 2766.03
CT 2781
CT 2947.99
CT 2949.99
CT 2951.99
CT 2961.99
CT 2962.99
CT 2971.99
CT 2976.99
CT 5756.99
CT 5757.99
CT 6005.01
CT 6005.02
CT 6006
CT 6007.01
CT 6007.02
CT 6008.01
CT 6008.02
CT 6009.02
CT 6011
CT 6013.02
CT 6013.03
CT 6019
CT 6020.01
CT 6037.02
CT 6038
CT 6039
CT 6040
CT 6041
CT 6200
CT 6200.99
CT 6201
CT 6202
CT 6203.01
CT 6203.02
CT 6203.03
CT 6204
CT 6205.01
CT 6205.02
CT 6206.01
CT 6206.02
CT 6207.01
CT 6207.02
CT 6208
CT 6209.01
CT 6209.02
CT 6210.01
CT 6210.02
CT 6211

CT 6212
CT 6213.01
CT 6213.02
CT 6214
CT 6500.01
CT 6500.02
CT 6501.01
CT 6501.02
CT 6502
CT 6503
CT 6509.01
CT 6509.02
CT 6510.01
CT 6510.02
CT 7012.01
CT 7012.02
CT 7013.01
CT 7013.02
CT 7014
CT 7015.01
CT 7015.02
CT 7016.01
CT 7016.02
CT 7017.01
CT 7017.02
CT 7018.01
CT 7018.02
CT 7019
CT 7020
CT 7021
CT 7022.01
CT 7022.02
CT 7023
CT 7029.99
Partial Census Tracts:
CT 2624—Blocks 207 and 210.
CT 2626—Portions not in Congressional District 23.
CT 2754—Portions not in Congressional District 28.
CT 2774—Portions not in Congressional District 28.
CT 2913—Portions not in Congressional District 31.
CT 6009.01—Portions not in Congressional District 28.
CT 6016—Portions not in Congressional District 31.
CT 6017—Portions not in Congressional District 31.
CT 6023.01—Portions not in Congressional District 31.
CT 6035—Portions not in Congressional District 31.
CT 6036—Portions not in Congressional District 31.
CT 6037.01—Portions not in Congressional District 31.
CT 6505.01—Block groups 1, 2, and 5.
Congressional District 28: Congressional District 28 shall consist of

the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 2088
CT 2089
CT 2093
CT 2094
CT 2095
CT 2096
CT 2097
CT 2098
CT 2122
CT 2123
CT 2129
CT 2131
CT 2132
CT 2133
CT 2134
CT 2171
CT 2172
CT 2181
CT 2182
CT 2183
CT 2184
CT 2185
CT 2186
CT 2187
CT 2188
CT 2189
CT 2191
CT 2192
CT 2193
CT 2194
CT 2195
CT 2196
CT 2197
CT 2198
CT 2199
CT 2201
CT 2202
CT 2211
CT 2212
CT 2213
CT 2214.01
CT 2214.02
CT 2215.01
CT 2215.02
CT 2216.01
CT 2216.02

CT 2217.01
CT 2217.02
CT 2218
CT 2219
CT 2221
CT 2222
CT 2223
CT 2224
CT 2225
CT 2226
CT 2227
CT 2242
CT 2243
CT 2247
CT 2313
CT 2314
CT 2315
CT 2324
CT 2341
CT 2342
CT 2343
CT 2344
CT 2345
CT 2346
CT 2347
CT 2348
CT 2349
CT 2351
CT 2352.01
CT 2352.02
CT 2361
CT 2362.01
CT 2362.02
CT 2363
CT 2364
CT 2722
CT 2723.01
CT 2723.02
CT 2751.01
CT 2751.02
CT 2752
CT 2753.01
CT 2753.02
CT 2755
CT 2756
CT 2761
CT 2762
CT 2763
CT 2764

CT 2765
CT 2766.01
CT 2766.02
CT 2767
CT 2768
CT 2769
CT 2771
CT 2772
CT 2773
CT 6010
CT 6012.01
CT 6012.02
CT 6013.01
CT 6014.01
CT 6014.02
CT 6015
CT 6018
CT 7024
CT 7025
CT 7026
CT 7027
CT 7028.01
CT 7028.02
CT 7028.03
CT 7029
CT 7030.01
CT 7030.02
CT 7031
CT 7032

Partial Census Tracts:

CT 2087—Portions not in Congressional District 24.
CT 2124—Blocks 201, 202, 205, 206, 207, and 208.
CT 2127—Blocks 108, 109, and 110.
CT 2128—Portions not in Congressional District 24.
CT 2241—Block group 2 and blocks 125, 126, 128, 301, 302, 321, 323, and 325.
CT 2312—Those portions not in Congressional District 29.
CT 2316—Those portions not in Congressional District 29.
CT 2754—Blocks 103, 104, 109, 204, and 205.
CT 2774—Block Group 1.
CT 6009.01—Block Group 4 and Block Group 3 except blocks 316 and 317.

Congressional District 29: Congressional District 29 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 2244
CT 2245
CT 2246

CT 2264
CT 2265
CT 2267
CT 2281
CT 2282
CT 2283
CT 2284
CT 2285
CT 2286
CT 2287
CT 2288
CT 2289
CT 2291
CT 2292
CT 2293
CT 2294
CT 2311
CT 2317
CT 2318
CT 2319
CT 2321
CT 2322
CT 2323
CT 2325
CT 2326
CT 2327
CT 2328
CT 2371
CT 2372
CT 2373
CT 2374
CT 2375
CT 2376
CT 2377
CT 2378
CT 2379
CT 2381
CT 2382
CT 2383
CT 2384
CT 2385
CT 2386
CT 2391
CT 2392
CT 2393
CT 2394
CT 2395
CT 2396
CT 2397

CT 2398
CT 2399
CT 2401
CT 2402
CT 2403
CT 2404
CT 2405
CT 2406
CT 2407
CT 2408
CT 2409
CT 2411
CT 2412
CT 2421
CT 2422
CT 2423
CT 2424
CT 2425
CT 2426
CT 2427
CT 2428
CT 2429
CT 2431
CT 5325
CT 5326.01
CT 5326.02
CT 5327
CT 5328
CT 5329
CT 5330
CT 5331.01
CT 5331.02
CT 5332
CT 5335
CT 5345
CT 5347
CT 5348
CT 5349
CT 5350
CT 5351.01
CT 5351.02
CT 5352
CT 5353
CT 5355
CT 5356.01
CT 5356.02
CT 5357
CT 5358.01
CT 5358.02

CT 5359
CT 5360
CT 5361
CT 5362
CT 5505
CT 5506
CT 5507
CT 5508
CT 6001
CT 6002.01
CT 6002.02
CT 6003.01
CT 6003.02
CT 6004

Partial Census Tracts:

CT 2312—Blocks 104, 107, 204, and 212.
CT 2316—Block groups 1, 2, and 3, and blocks 501, 502, and 503.
CT 2266—Blocks 207 and 213.
CT 5324—Portions not in Congressional District 30.
CT 5354—All except portions in the City of Lynwood.
CT 5514—Portions not in Congressional District 32.

Congressional District 30: Congressional District 30 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 4041
CT 4043
CT 4044
CT 4045
CT 4046
CT 4322
CT 4324
CT 4326
CT 4327
CT 4328
CT 4329
CT 4332
CT 4336.01
CT 4336.02
CT 4802
CT 4803
CT 4804
CT 4808.01
CT 4808.02
CT 4809
CT 4810
CT 4811
CT 4812.02
CT 4813

CT 4814
CT 4815
CT 4816.01
CT 4816.02
CT 4817.01
CT 4817.02
CT 4818
CT 4819.01
CT 4819.02
CT 4820.01
CT 4820.02
CT 4821.01
CT 4821.02
CT 4822
CT 4823.01
CT 4823.02
CT 4824.01
CT 4824.02
CT 4825.01
CT 4825.02
CT 4826
CT 4827
CT 4828
CT 5300.01
CT 5300.02
CT 5301.01
CT 5301.02
CT 5302.01
CT 5302.02
CT 5317.01
CT 5317.02
CT 5318
CT 5319
CT 5320
CT 5321
CT 5322
CT 5323.01
CT 5323.02
CT 5333
CT 5334
CT 5336
CT 5337
CT 5338.01
CT 5338.02
CT 5339
CT 5340
CT 5341
CT 5342
CT 5343

CT 5344.01
CT 5344.02
Partial Census Tracts:
CT 4006—Portions in the City of Azusa.
CT 4008—Portions in the City of Azusa.
CT 4039.01—All except portions in the City of Glendora.
CT 4040—All except portions in the City of Glendora.
CT 4042—Portions in the City of Azusa.
CT 4300.01—Portions in the City of Azusa.
CT 4311—All except portions in the City of Monrovia.
CT 4312—All except portions in the City of Monrovia.
CT 4315—All except portions in the cities of Arcadia and Temple City.
CT 4321.01—Portions in the City of El Monte.
CT 4321.02—Portions in the City of El Monte.
CT 4323—All except portions in the City of Temple City.
CT 4325—All except portions in the City of Arcadia.
CT 4331—Portions in the City of El Monte.
CT 4333—All except portions in the City of Industry.
CT 4334—Portions in the City of El Monte.
CT 4335—Portions in the City of El Monte.
CT 4338—Portions in the City of El Monte.
CT 4339—Portions in the City of El Monte.
CT 4340—Portions in the City of El Monte.
CT 4800.02—Blocks 206 and 301.
CT 4801.02—All except blocks 101, 110, and 111, and the unincorporated portion of block 201.
CT 5304—Portions in the City of Monterey Park.
CT 5313—Block Group 7 and block 608.
CT 5324—Portions not in the City of Huntington Park.

Congressional District 31: Congressional District 31 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 2413
CT 2414
CT 2415
CT 2416
CT 2911
CT 2912
CT 2921
CT 2931
CT 2932.01
CT 2932.02
CT 5400
CT 5401.01
CT 5401.02
CT 5402
CT 5403

CT 5404
CT 5405
CT 5406
CT 5407
CT 5408
CT 5409.01
CT 5409.02
CT 5410.01
CT 5410.02
CT 5411
CT 5412
CT 5413
CT 5414
CT 5415
CT 5416.01
CT 5416.02
CT 5417
CT 5418
CT 5420
CT 5421.01
CT 5421.02
CT 5422
CT 5424.01
CT 5424.02
CT 5425
CT 5426
CT 5427
CT 5428
CT 5429
CT 5430
CT 5431
CT 5432
CT 5433.01
CT 5433.03
CT 5433.21
CT 5433.22
CT 5434
CT 5435.01
CT 5435.02
CT 5435.03
CT 5436.01
CT 5436.02
CT 5436.04
CT 5437.01
CT 5437.02
CT 5437.03
CT 5438.01
CT 5438.02
CT 5439.01

CT 5439.02
CT 5533
CT 5535
CT 5536
CT 5537
CT 5538
CT 5539
CT 5540
CT 5541
CT 5542
CT 5543
CT 5544.02
CT 5702.02
CT 5703.01
CT 6020.02
CT 6021.01
CT 6021.02
CT 6022
CT 6023.02
CT 6024.01
CT 6024.02
CT 6025.01
CT 6025.02
CT 6025.03
CT 6026
CT 6027
CT 6028
CT 6029
CT 6030.01
CT 6030.02
CT 6031
CT 6032
CT 6033
CT 6034

Partial Census Tracts:

CT 2913—Blocks 201 and 206.

CT 2933—Block Group 1.

CT 5354—Portions not in Congressional District 29.

CT 5440—All except portions in the City of Long Beach.

CT 5531—Portions not in Congressional District 32.

CT 5532—Portions not in Congressional District 32.

CT 5544.01—Portions not in Congressional District 32.

CT 5705—Block Groups 6, 7, and 8, and Block Group 5, except blocks 501, 502, and 503.

CT 6016—Portions in the City of Hawthorne.

CT 6017—Portions in the City of Hawthorne.

CT 6023.01—All except blocks 102, 103, 106, 107, 108, 109, 110, 201, 202, 203, 204, 205, 208, 507, 508, 509, 510, 511, 512, and 513, and the unincorporated portion of blocks 101, 104, 105, 206, and 207.

CT 6035—Portions in the City of Gardena.
CT 6036—Portions in the City of Gardena.
CT 6037.01—Portions in the City of Hawthorne.

Congressional District 32: Congressional District 32 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 2941
CT 2942
CT 2943
CT 2944
CT 2945
CT 2946
CT 2947
CT 2948
CT 2949
CT 2951
CT 2962
CT 2963
CT 2964
CT 2965
CT 2966
CT 2967
CT 2968
CT 2969
CT 2972
CT 5436.03
CT 5504
CT 5509
CT 5510
CT 5511
CT 5512
CT 5513
CT 5515
CT 5516
CT 5517
CT 5518
CT 5534
CT 5550
CT 5551.01
CT 5551.02
CT 5552.01
CT 5700.01
CT 5700.02
CT 5700.03
CT 5701
CT 5702.01
CT 5703.02
CT 5704

CT 5706
CT 5707.01
CT 5707.02
CT 5708
CT 5709.01
CT 5709.02
CT 5710
CT 5711.01
CT 5711.02
CT 5712
CT 5713
CT 5714
CT 5715.01
CT 5716
CT 5717
CT 5721
CT 5722.01
CT 5722.02
CT 5723
CT 5724
CT 5725
CT 5726
CT 5727
CT 5728
CT 5729
CT 5730
CT 5731
CT 5732.01
CT 5732.02
CT 5733
CT 5736
CT 5737
CT 5738
CT 5740
CT 5741
CT 5742.01
CT 5742.02
CT 5743
CT 5744
CT 5746.01
CT 5749.01
CT 5750.02
CT 5751
CT 5752
CT 5753
CT 5754
CT 5755
CT 5758
CT 5759

CT 5762
CT 5763
CT 5764
CT 5765
CT 5768
CT 5769
CT 5770
CT 6099

Partial Census Tracts:

CT 2933—All except portions in Congressional District 31.
CT 2971—All except portions in Congressional District 42.
CT 2973—All except portions in Congressional District 42.
CT 2975—Blocks 102, 103, 104, 105 106, 108, 117, and 118.
CT 2976—All except portions in Congressional District 42.
CT 5440—All except portions in Congressional District 31.
CT 5514—Block Group 1 and blocks 201, 202, 203, 204, and 205.
CT 5531—All except blocks 102, 103, 401, 402, 403, 404, 405, 406, 408, and 413.
CT 5532—Block Groups 1 and 2, except blocks 206, 207, and 208.
CT 5544.01—All except Block Groups 4 and 5, and block 103
CT 5545.22—All except portions in Congressional District 38.
CT 5705—All except portions in Congressional District 31.
CT 5718—All except portions in Congressional District 42.
CT 5720.02—All except portions in Congressional District 42.
CT 5745—Block Group 4, except blocks 401, 402, and 405.
CT 5749.02—All except portions in Congressional District 42.
CT 5771—All except portions in Congressional District 42.

Congressional District 33: Congressional District 33 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 4002.01
CT 4002.02
CT 4003
CT 4004.01
CT 4004.02
CT 4005
CT 4009
CT 4010.01
CT 4010.02
CT 4011.01
CT 4011.02
CT 4012.01
CT 4012.02
CT 4012.03
CT 4013.02
CT 4013.11
CT 4013.12
CT 4015

CT 4016
CT 4017.01
CT 4017.02
CT 4018
CT 4019.01
CT 4019.02
CT 4020
CT 4021.01
CT 4021.02
CT 4022
CT 4023.01
CT 4023.02
CT 4024.01
CT 4024.02
CT 4024.03
CT 4024.04
CT 4025.01
CT 4025.02
CT 4026
CT 4027.01
CT 4027.02
CT 4028
CT 4029.01
CT 4029.02
CT 4030
CT 4032
CT 4033.11
CT 4033.13
CT 4033.14
CT 4033.15
CT 4034
CT 4037.01
CT 4037.21
CT 4037.22
CT 4038
CT 4039.02
CT 4059
CT 4060
CT 4061.01
CT 4061.02
CT 4085.03
CT 4086.21
CT 4086.22
CT 4086.23
CT 4086.24
CT 4086.25
CT 4087.01
CT 4087.02
CT 4088

CT 4300.02
CT 4301.01
CT 4301.02
CT 4302
CT 5001
CT 5002.01
CT 5002.02
CT 5012
CT 5013
CT 5014
CT 5015.01
CT 5015.02
CT 5016
CT 5017
CT 5018
CT 5019
CT 5033.01
CT 5034.01
CT 5034.02
CT 5036.01
CT 5036.02
CT 5037.01
CT 5037.02
CT 5037.03
CT 5038.01
CT 5038.02
CT 5039.01
CT 5039.02
CT 5040.01
CT 5040.02
CT 9109
CT 9110
CT 9300
Partial Census Tracts:
CT 4006—Portions not in Congressional District 30.
CT 4008—Portions not in Congressional District 30.
CT 4033.02—Portions not in the City of Industry.
CT 4033.12—Portions not in the City of Industry.
CT 4035—Portions not in the City of West Covina.
CT 4036—Portions not in the City of West Covina.
CT 4039.01—Portions not in Congressional District 30.
CT 4040—Portions not in Congressional District 30.
CT 4042—Portions not in Congressional District 30.
CT 4054—Portions not in Congressional District 34.
CT 4057—Portions not in Congressional District 34.
CT 4058—Portions not in Congressional District 34.
CT 4062—Portions not in Congressional District 34.
CT 4084.02—Portions not in Congressional District 34.
CT 4300.01—Portions not in Congressional District 30.

CT 5003—Portions not in Congressional District 34.
CT 5010—Portions not in Congressional District 34.
CT 5020.01—Portions not in Congressional District 34.
CT 5020.02—Portions not in Congressional District 34.
CT 5021—Portions not in Congressional District 34.
CT 5029.02—Portions not in Congressional District 34.
CT 5035.02—Portions not in Congressional District 34.
CT 5041.01—Portions not in Congressional District 34.
CT 9100—Portions not in Congressional District 35.
CT 9107—Portions not in Congressional District 35.
CT 9108.02—Portions not in Congressional District 22.

Congressional District 34: Congressional District 34 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 4047
CT 4048
CT 4049
CT 4050
CT 4051
CT 4052
CT 4053
CT 4055
CT 4056
CT 4063
CT 4064.01
CT 4064.02
CT 4065
CT 4066.01
CT 4066.02
CT 4067
CT 4068
CT 4069
CT 4070
CT 4071.01
CT 4071.02
CT 4072
CT 4073
CT 4074
CT 4075
CT 4076
CT 4077
CT 4078
CT 4079
CT 4080.01
CT 4080.02
CT 4081.01
CT 4081.02
CT 4081.31

CT 4081.32
CT 4082.01
CT 4082.02
CT 4083.01
CT 4083.02
CT 4083.03
CT 4084.01
CT 4085.01
CT 4085.02
CT 4086.01
CT 4337
CT 5004.01
CT 5004.02
CT 5005
CT 5006
CT 5007
CT 5008
CT 5009
CT 5022
CT 5023
CT 5024
CT 5025
CT 5026.01
CT 5026.02
CT 5027
CT 5028
CT 5029.01
CT 5030
CT 5031.01
CT 5031.02
CT 5032.01
CT 5032.02
CT 5033.02
CT 5035.01
CT 5041.02
CT 5500
CT 5501
CT 5502
CT 5503
CT 5519
CT 5520
CT 5521
CT 5522
CT 5523
CT 5524
CT 5526
CT 5527
CT 5528
CT 5529

CT 5530
CT 5546
CT 5547
CT 5548.01
CT 5548.02
CT 5549
Partial Census Tracts:
CT 4033.02—Portions in the City of Industry.
CT 4033.12—Portions in the City of Industry.
CT 4035—Portions in the City of West Covina.
CT 4036—Portions in the City of West Covina.
CT 4054—All except portions in the City of Covina.
CT 4057—All except portions in the City of Covina and block 101.
CT 4058—Portions not in the City of Covina.
CT 4062—Portions in the City of West Covina.
CT 4084.02—Portions in the City of Industry and unincorporated areas north of the Pomona Freeway and west of Workman Mill Road, and blocks 109, 110, 201 and 218.
CT 4331—Portions not in Congressional District 30.
CT 4333—Portions not in Congressional District 30.
CT 4334—Portions not in Congressional District 30.
CT 4335—Portions not in Congressional District 30.
CT 4338—Portions not in Congressional District 30
CT 4339—Portions not in Congressional District 30.
CT 4340—Portions not in Congressional District 30.
CT 5003—Block Group 1.
CT 5010—All except portions in the City of Whittier.
CT 5020.01—All except portions in the City of Whittier.
CT 5020.02—All except portions in the City of Whittier.
CT 5021—All except portions in the City of Whittier.
CT 5029.02—All except portions in the City of Whittier.
CT 5035.02—All except portions in the City of Whittier.
CT 5041.01—Portions in the City of Santa Fe Springs.

Congressional District 35. Congressional District 35 shall consist of the part of San Bernardino County not included in Congressional District 36, together with the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 9001
CT 9002
CT 9004
CT 9101
CT 9105
CT 9106
Partial Census Tracts:
CT 9003—All except portions in the City of Lancaster
CT 9005—Portions in the City of Palmdale.
CT 9100—Portions in the City of Palmdale and blocks 116, 202, 207, and Block Groups 3 and 4.

CT 9104—Block Group 4.
CT 9107—Portions in the City of Palmdale.
Congressional District 36: Congressional District 36 shall consist of the part of Riverside County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 301
CT 302
CT 303
CT 304
CT 305
CT 308
CT 309
CT 314.02
CT 315.02
CT 316
CT 401
CT 402
CT 403
CT 404
CT 405
CT 410
CT 411
CT 412
CT 422.02
CT 422.03
CT 423
Partial Census Tracts:
CT 310—Block Groups 5 and 6.
CT 313—All except blocks 302, 303, 309, 310, 319, 320, 321, 322, 323, and 324.
CT 314.01—All except blocks 304, 305, 306, 401, 402, 403, 404, 405, 406, and 407; and Block Group 5.
CT 315.01—All except blocks 101, 102, 103, 104, 105, 106, 109, 111, 112, 113, 114, and 115, and Block Group 2 excluding blocks 211 and 212.
CT 413—All except Block Group 2 and blocks 301, 302, and 303.
CT 422.04—Block Groups 1, 2, and 3, and block 906.
together with the part of San Bernardino County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 10
CT 11
CT 12
CT 14
CT 15
CT 16
CT 18
CT 23

CT 24
CT 25
CT 26
CT 28
CT 29
CT 30
CT 31
CT 32
CT 33
CT 34
CT 35
CT 36
CT 37
CT 38
CT 39
CT 40
CT 41
CT 42
CT 43
CT 44
CT 45
CT 46
CT 47
CT 48
CT 49
CT 50
CT 51
CT 52
CT 53
CT 54
CT 55
CT 56
CT 57
CT 58
CT 59
CT 60
CT 61
CT 62
CT 63
CT 64
CT 65
CT 66
CT 67
CT 68
CT 69
CT 70
CT 74.01
CT 75
CT 76

CT 77
Partial Census Tracts:
CT 3—Portions in the City of Ontario
CT 4—Portions in the City of Ontario.
CT 6.01—Portions in the City of Ontario
CT 13—Portions not in the City of Rancho Cucamonga.
CT 17—Portions in the City of Ontario.
CT 20—Portions in the City of Fontana.
CT 21—Portions in the City of Ontario.
CT 22—Portions in the cities of Fontana and Ontario.
CT 27—Portions in the City of Rialto, except for the noncontiguous portion.
CT 71—All except portions south of Fern Street and its southwesterly extension to an intersection within the city limits of Grand Terrace and portions in the City of Grand Terrace.
CT 72—All except portions in the City of Loma Linda and blocks 306, 307, 308, 324, 325, and 326; the unincorporated portions of Block Group 4; and the portions of block 401 in the City of Redlands.
CT 73—Portions in the cities of Colton and San Bernardino.
CT 74.02—All except the unincorporated portions of Block Groups 1 and 3, and Block Group 2, excluding blocks 202, 203, 204, 205, 207, and 211.
CT 79—Portions in the City of San Bernardino.
CT 101—Portions in the City of San Bernardino.
CT 102.02—Portions in the City of San Bernardino.
Congressional District 37: Congressional District 37 shall consist of the part of Riverside County not included in Congressional District 36.
Congressional District 38: Congressional District 38 shall consist of the part of Orange County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 741.01
CT 741.02
CT 741.03
CT 742
CT 743
CT 744.03
CT 745.01
CT 745.02
CT 746.01
CT 746.02
CT 747.01
CT 747.02
CT 748.01
CT 748.02
CT 748.03
CT 748.04
CT 749.01

CT 749.02
CT 750.02
CT 752.01
CT 752.02
CT 865.02
CT 868.02
CT 869.01
CT 869.02
CT 873
CT 874.02
CT 874.03
CT 877.03
CT 878.01
CT 878.02
CT 878.03
CT 878.05
CT 878.06
CT 879.01
CT 879.02
CT 880.01
CT 880.02
CT 881.01
CT 881.02
CT 881.03
CT 882.01
CT 882.02
CT 882.03
CT 883.01
CT 883.02
CT 884.01
CT 884.02
CT 884.03
CT 885.01
CT 885.02
CT 886.01
CT 886.02
CT 887.01
CT 887.02
CT 888
CT 889.01
CT 889.02
CT 889.03
CT 889.05
CT 890.01
CT 890.02
CT 891.01
CT 891.02
CT 891.03
CT 992.01

CT 997.01
CT 998.01
CT 998.02
CT 998.03
CT 999.02
CT 999.03
CT 999.04
CT 1100.03
CT 1100.04
CT 1100.05
CT 1102.01
CT 1102.03
CT 1103.02
CT 1103.03
CT 1104.01
CT 1104.02
CT 1105
CT 1106.03

Partial Census Tracts:

CT 740.03—All except blocks 209, 210, 211, 213, 214, 235, 243, and 244.

CT 740.05—All except blocks 108, 109, 110, 111, 118, 119, 120, 121, 127, 128, 129, 130, 131, 132, 133, 134, and 135.

CT 744.01—Portions south of Washington Avenue.

CT 744.04—Portions in the City of Santa Ana.

CT 750.01—Blocks 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, and 225.

CT 761.01—Blocks 604 and 605.

CT 761.03—Portions in the City of Garden Grove.

CT 863.01—Block Groups 2 and 3.

CT 863.03—Blocks 109, 111, 113, 126, 127, 128, 129, 131, 132, 201, 208, 214, 218, 219, and 220.

CT 865.01—Blocks 101, 102, 103, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 205, 206, 207, 208, 209, 210, 309, 311, 312, 313, and 314; and the portion of block 317 in the City of Anaheim.

CT 866.01—Portions in the City of Anaheim.

CT 868.01—All except portions in the City of Fullerton.

CT 868.03—The portion of Block 211 in the City of Anaheim.

CT 869.03—Portions south of Orange Avenue.

CT 870.01—Portions south of Orange Avenue.

CT 870.02—Portions south of Orange Avenue.

CT 871.04—Blocks 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, and 220.

CT 872—Block Group 2 and blocks 307, 308, and 309.

CT 874.01—Block Groups 1, 2, and 3; and block 409.

CT 875.01—Blocks 101, 102, 119, 121, 123, 127, 128, and 129.

CT 875.03—Portions in the City of Garden Grove and block 109.

CT 876.02—Portions west of Euclid Avenue and portions in the City of Garden Grove.

CT 877.01—Blocks 302, 303, 305, 306, 308, 309, and 310; and Block Group 4.
CT 877.04—Portions south of Cerritos Avenue.
CT 889.04—Portions not in Congressional District 42.
CT 992.02—Portions in the City of Santa Ana.
CT 992.03—All except portions in the cities of Fountain Valley and Westminster.
CT 996.01—Portions northeast of the 405 Freeway.
CT 997.02—Portions not in Congressional District 42.
CT 1100.01—Portions not in Congressional District 42.
CT 1100.10—Portions not in Congressional District 42.
CT 1101.02—Portions not in Congressional District 42.
CT 1101.10—Portions not in Congressional District 42.
CT 1101.13—Portions not in Congressional District 42.
CT 1102.02—Portions not in Congressional District 42.
CT 1103.01—Portions not in Congressional District 42.
CT 1103.04—Portions not in Congressional District 42.
CT 1106.01—Portions south of the Atchison, Topeka and Santa Fe Railroad,
together with the part of Los Angeles County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 5545.11
CT 5545.12
CT 5545.13
CT 5545.14
CT 5545.15
CT 5545.16
CT 5545.17
CT 5545.18
CT 5545.19
CT 5545.21
Partial Census Tract:
CT 5545.22—That portion in the City of Cerritos.
Congressional District 39: Congressional District 39 shall consist of the part of Orange County contained in the following whole and partial census tracts:
Whole Census Tracts:
CT 11.01
CT 11.02
CT 11.03
CT 12
CT 13.01
CT 13.02
CT 14.01
CT 14.02
CT 14.03
CT 14.04
CT 15.01

CT 15.02
CT 15.03
CT 15.04
CT 15.05
CT 16.01
CT 16.02
CT 17.01
CT 17.02
CT 18.01
CT 18.02
CT 19.01
CT 19.02
CT 19.03
CT 110
CT 111.01
CT 111.02
CT 112
CT 113
CT 114.01
CT 114.02
CT 115.01
CT 115.02
CT 116.01
CT 116.02
CT 117.07
CT 117.08
CT 117.09
CT 117.10
CT 117.11
CT 117.12
CT 117.13
CT 117.14
CT 117.15
CT 117.16
CT 117.17
CT 117.18
CT 218.02
CT 218.05
CT 218.06
CT 218.07
CT 218.08
CT 218.09
CT 218.10
CT 218.11
CT 218.12
CT 218.13
CT 219.03
CT 219.04
CT 219.05

CT 219.06
CT 219.07
CT 219.08
CT 219.09
CT 757.03
CT 758.02
CT 758.03
CT 758.04
CT 758.05
CT 758.07
CT 758.08
CT 758.09
CT 758.10
CT 759.01
CT 761.02
CT 762.01
CT 762.02
CT 762.04
CT 762.05
CT 762.06
CT 762.07
CT 762.08
CT 863.04
CT 863.05
CT 863.06
CT 864.02
CT 864.04
CT 864.05
CT 864.06
CT 864.07
CT 866.02
CT 867.01
CT 867.02
CT 871.01
CT 871.02
CT 871.03
CT 875.04
CT 876.01
CT 1106.04
CT 1106.05

Partial Census Tracts:

CT 756.01—All except that portion in the City of Tustin.

CT 756.02—All except that portion in the City of Tustin.

CT 757.02—All except that portion in the City of Tustin and blocks 204, 205, and 206.

CT 758.06—Portions in the City of Orange and blocks 101, 102, 103, 104, 105, 106, 107, 108, and 109.

CT 759.02—All except portions in the City of Santa Ana.

CT 760—All except portions in the City of Santa Ana.

CT 761.01—Portions not in Congressional District 38.
CT 761.03—Portions not in Congressional District 38.
CT 863.01—Portions not in Congressional District 38.
CT 863.03—Portions not in Congressional District 38.
CT 865.01—Portions not in Congressional District 38.
CT 866.01—Portions not in Congressional District 38.
CT 868.01—Portions not in Congressional District 38.
CT 868.03—All except portions in Congressional District 38.
CT 869.03—All except portions in Congressional District 38.
CT 870.01—All except portions in Congressional District 38.
CT 870.02—All except portions in Congressional District 38.
CT 871.04—All except portions in Congressional District 38.
CT 872—All except portions in Congressional District 38.
CT 874.01—All except portions in Congressional District 38.
CT 875.01—All except portions in Congressional District 38.
CT 875.03—All except portions in Congressional District 38.
CT 876.02—All except portions in Congressional District 38.
CT 877.01—All except portions in Congressional District 38.
CT 877.04—All except portions in Congressional District 38.
CT 1106.01—All except portions in Congressional District 38.

Congressional District 40: Congressional District 40 shall consist of the part of Orange County not contained in Congressional Districts 38, 39, 42, and 43.

Congressional District 41: Congressional District 41 shall consist of the part of San Diego County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 2
CT 3
CT 4
CT 5
CT 6
CT 7
CT 8
CT 9
CT 10
CT 11
CT 12
CT 13
CT 20.01
CT 20.02
CT 28.01
CT 28.02
CT 29.01
CT 29.02
CT 55
CT 57
CT 59
CT 60

CT 61
CT 66
CT 68
CT 69
CT 70.01
CT 70.02
CT 71
CT 72
CT 73.01
CT 73.02
CT 74
CT 75
CT 76
CT 77
CT 78
CT 79.01
CT 79.02
CT 80.01
CT 80.02
CT 81.01
CT 81.02
CT 82
CT 83.01
CT 83.03
CT 83.05
CT 83.06
CT 83.07
CT 83.10
CT 83.11
CT 83.12
CT 83.13
CT 83.14
CT 83.15
CT 83.16
CT 83.17
CT 83.18
CT 83.19
CT 83.20
CT 83.21
CT 83.22
CT 83.23
CT 83.24
CT 85.01
CT 85.02
CT 85.03
CT 85.04
CT 85.05
CT 85.06
CT 85.07

CT 85.09
CT 85.10
CT 85.11
CT 85.12
CT 85.13
CT 87.01
CT 91.01
CT 91.02
CT 91.03
CT 91.04
CT 91.05
CT 92.01
CT 92.02
CT 93.01
CT 93.03
CT 94
CT 95.01
CT 95.02
CT 95.03
CT 95.04
CT 96.02
CT 96.03
CT 96.04
CT 97.03
CT 97.04
CT 97.05
CT 97.06
CT 98.01
CT 98.02
CT 98.04
CT 98.05
CT 99.01
CT 170.17
CT 170.18
CT 172
CT 173.01

Partial Census Tracts:

CT 1—All except blocks 407, 410, 501, 502, and 509.

CT 21—Block Group 1 and blocks 409, 410, 412, 413, 414, and 415.

CT 23—Blocks 101, 102, 103, 104. 105, 106, 107, 406, 407, and 408.

CT 56—All except blocks 306, 307, 308, 309, 310, 311, 322, 323, and 324.

CT 65—All except Block Groups 2 and 4 and block 506 and those portions of blocks 502 and 503 that are southeast of an extension of Enterprise Street from Pacific Coast Highway and the San Diego Freeway.

CT 87.02—All except blocks 108, 109, 110, 111, 112, 113, 127, and 128.

CT 89—Blocks 206, 207, 208, 209, 210, 211, 214, 215, 216, and 217.

CT 170.12—Portions not in Congressional District 45.
CT 170.13—Portions in the City of San Diego.
CT 170.14—Portions not in Congressional District 45.
CT 170.16—All except the unincorporated portions of blocks 304, 309, and 349.
CT 171.01—Portions in the City of San Diego.
CT 173.02—Portions in the City of San Diego and block 302.
CT 204—Portions in the City of San Diego.

Congressional District 42: Congressional District 42 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 2961
CT 2974
CT 5552.02
CT 5715.02
CT 5719
CT 5720.01
CT 5734
CT 5735
CT 5739.01
CT 5739.02
CT 5746.02
CT 5747
CT 5748
CT 5750.01
CT 5756
CT 5757
CT 5760
CT 5761
CT 5766
CT 5767
CT 5772
CT 5773
CT 5774
CT 5775.01
CT 5775.02
CT 5776.01
CT 5776.02
CT 5776.03
CT 6504
CT 6505.02
CT 6506.01
CT 6506.02
CT 6506.03
CT 6507.01
CT 6507.02
CT 6508
CT 6511.01

CT 6511.02
CT 6512.01
CT 6512.21
CT 6512.22
CT 6513.01
CT 6513.02
CT 6514
CT 6700.01
CT 6700.02
CT 6700.03
CT 6701
CT 6702.01
CT 6702.02
CT 6703.01
CT 6703.02
CT 6704.01
CT 6704.02
CT 6705
CT 6706
CT 6707.01
CT 6707.02

Partial Census Tracts:

CT 2971—Blocks 115 and 119.

CT 2973—Blocks 307 and 308.

CT 2975—All except portions in Congressional District 32.

CT 2976—Block Groups 1 and 2, and blocks 301, 302, 303, 304, 305, 320, and 518.

CT 5718—All except blocks 115, 117, 120, 127, and 128.

CT 5720.02—Block Group 1 and blocks 201, 202, 203, 204, 205, 206, 207, 208, 303, 304, and 305.

CT 5745—All except portions in Congressional District 32.

CT 5749.02—All except blocks 101, 102, 103, 104, 105, 106, 206, and 207.

CT 5771—All except Block Group 5 and block 411.

CT 6505.01—Portions not contained in Congressional District 27.

together with the part of Orange County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 992.04
CT 992.11
CT 992.22
CT 993.02
CT 993.03
CT 993.04
CT 993.05
CT 994.02
CT 994.04
CT 994.05
CT 994.06

CT 994.07
CT 994.08
CT 994.10
CT 994.11
CT 994.12
CT 994.13
CT 994.14
CT 994.15
CT 995.02
CT 995.03
CT 995.04
CT 995.05
CT 995.06
CT 995.07
CT 995.08
CT 996.02
CT 996.03
CT 996.04
CT 996.05
CT 997.03
CT 999.01
CT 1100.06
CT 1100.07
CT 1100.08
CT 1100.11
CT 1100.12
CT 1100.13
CT 1101.01
CT 1101.04
CT 1101.06
CT 1101.08
CT 1101.09
CT 1101.11
CT 1101.12
CT 1101.14

Partial Census Tracts:

CT 889.04—All except those portions in the City of Garden Grove and blocks 107, 108, 109, 117, 119, 120, and 126.
CT 992.03—That portion in the City of Westminster.
CT 992.23—Portions in the City of Westminster.
CT 992.35—All except blocks 118, 120, 121, 123, and 124.
CT 996.01—Portions not in Congressional District 38.
CT 997.02—All except blocks 101, 102, 103, 105, and 106.
CT 1100.01—Portions in the cities of Cypress and Los Alamitos.
CT 1100.10—Portions in the City of Cypress.
CT 1101.02—Portions in the City of Cypress and La Palma.
CT 1101.10—Portions in the City of Cypress.
CT 1101.13—Portions in the Cities of Cypress and Los Alamitos.
CT 1102.02—Portions in the City of Cypress.

CT 1103.01—Portions in the City of La Palma.
CT 1103.04—Portions in the City of La Palma.

Congressional District 43: Congressional District 43 shall consist of the part of San Diego County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 171.02
CT 174.01
CT 174.02
CT 175
CT 176
CT 177
CT 178.01
CT 178.03
CT 178.04
CT 179
CT 180
CT 181
CT 182
CT 183
CT 183.99
CT 184
CT 185.01
CT 185.02
CT 185.04
CT 185.05
CT 185.06
CT 186.01
CT 186.03
CT 186.04
CT 186.05
CT 187
CT 188
CT 189.01
CT 189.02
CT 190
CT 191.01
CT 191.02
CT 192.01
CT 192.02
CT 193
CT 194
CT 195
CT 196
CT 197
CT 198
CT 199
CT 200.02
CT 200.03

CT 200.04
CT 200.05
CT 201.01
CT 201.02
CT 202.01
CT 202.02
CT 202.03
CT 202.04
CT 202.05
CT 203.01
CT 203.02
CT 203.03
CT 205
CT 206.01
CT 206.02
Partial Census Tracts:
CT 170.16—Portions not in Congressional District 41.
CT 171.01—Portions not in Congressional District 41.
CT 173.02—Portions not in Congressional District 41.
CT 204—Portions not in Congressional District 41.
CT 207.01—Portions not in Congressional District 45.
CT 207.03—All except portions in the City of San Diego.
CT 207.04—Portions not in Congressional District 45.

together with the part of Orange County contained in the following whole and partial census tracts:

Whole Census Tracts:
CT 320.02
CT 320.03
CT 320.06
CT 320.08
CT 320.09
CT 320.10
CT 320.12
CT 320.13
CT 320.14
CT 320.15
CT 421.01
CT 421.02
CT 421.03
CT 421.04
CT 422.01
CT 422.02
CT 423.10
CT 423.11
CT 423.12
CT 423.13
CT 423.14
CT 524.11
Partial Census Tracts:

CT 320.07—All except Block Group 3 and blocks 237, 244, 252, 253, 254, 255, 256, 257, 258, 259, and 260.

CT 423.03—Portions in the City of San Juan Capistrano.

CT 524.08—Unincorporated portion southeast of the City of Irvine city limits except blocks 227, 314, 315, 316, 317, 318, and 325.

CT 524.09—All except blocks 135, 234, and 243.

CT 524.10—Unincorporated portions southeast of the City of Irvine city limits.

Congressional District 44: Congressional District 44 shall consist of the part of San Diego County not included in Congressional Districts 41, 43, and 45, including those tracts designating population on vessels which are not contained in Congressional Districts 41, 43, and 45.

Congressional District 45: Congressional District 45 shall consist of the following whole county:

Imperial

together with the part of San Diego County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 100.07
CT 101.04
CT 101.05
CT 102
CT 103
CT 104
CT 105
CT 106.01
CT 106.02
CT 106.03
CT 106.99
CT 107
CT 108
CT 109
CT 110
CT 111
CT 112
CT 113
CT 135.01
CT 135.02
CT 136.01
CT 136.02
CT 137
CT 138
CT 139.01
CT 139.02
CT 139.03
CT 145
CT 146
CT 147

CT 148.01
CT 148.03
CT 148.04
CT 149
CT 150
CT 151
CT 152
CT 153.01
CT 153.02
CT 154.02
CT 154.03
CT 154.04
CT 155
CT 156.01
CT 156.02
CT 157.01
CT 157.02
CT 158
CT 159
CT 160
CT 161
CT 162.01
CT 162.02
CT 163
CT 164.01
CT 164.02
CT 165.01
CT 165.02
CT 166.02
CT 166.03
CT 166.05
CT 166.06
CT 166.07
CT 166.08
CT 166.09
CT 166.10
CT 166.11
CT 167.01
CT 167.02
CT 168.02
CT 168.03
CT 168.04
CT 168.05
CT 169
CT 170.05
CT 170.06
CT 170.07
CT 170.08
CT 170.09

CT 170.10
CT 170.11
CT 170.15
CT 208
CT 209.01
CT 209.02
CT 210
CT 211
CT 212.01
CT 212.02
CT 213

Partial Census Tracts:

CT 32.04—All except portions in the City of National City and the unincorporated portions of blocks 125 and 203.

CT 32.07—All except portions in the City of Chula Vista.

CT 100.06—Blocks 536, 537, 538, 539, 540, 541, 542, and 543.

CT 133.05—All except portions in the City of Chula Vista and the unincorporated portion of block 124 surrounded by the City of Chula Vista.

CT 134.01—All except portions in the City of Chula Vista.

CT 134.03—All except portions in the City of Chula Vista and the unincorporated portion of block 313 surrounded by the City of Chula Vista.

CT 134.04—All except portions in the City of Chula Vista.

CT 170.12—Portions in the City of Poway.

CT 170.13—Portions not in Congressional District 41.

CT 170.14—Block Group 1 and blocks 201, 202, 210, and 211.

CT 207.01—Block 201.

CT 207.03—Portions not in Congressional District 43.

CT 207.04—All except those portions in the City of Escondido and the unincorporated portion of blocks 207, 208, 238, 305, and 306.

SEC. 4. Chapter 5 (commencing with Section 30040) of Division 18 of the Elections Code is repealed.

SEC. 5. Chapter 5 (commencing with Section 30040) is added to Division 18 of the Elections Code. to read:

CHAPTER 5. EQUALIZATION DISTRICTS

30040. The state is divided into four equalization districts designated and constituted as provided in this chapter in accordance with Section 1 of Article XXI of the Constitution.

For purposes of this chapter, any reference to "census tracts" means that demographic unit as established by the United States Bureau of the Census for the 1980 census, as described by maps and publications of the bureau.

30041. The First Equalization District shall consist of the following whole counties:

Alameda
Alpine

Amador
Butte
Calaveras
Colusa
Contra Costa
Del Norte
El Dorado
Glenn
Humboldt
Lake
Lassen
Marin
Mendocino
Modoc
Napa
Nevada
Placer
Plumas
Sacramento
Santa Clara
Shasta
Sierra
Siskiyou
Solano
Sonoma
Sutter
Tehama
Trinity
Tuolumne
Yolo
Yuba

30042. The Second Equalization District shall consist of the following whole counties:

Fresno
Kings
Madera
Mariposa
Merced
Santa Barbara
San Benito
Santa Cruz
San Francisco
San Joaquin
San Luis Obispo
San Mateo
Stanislaus
Tulare
Ventura
Monterey

together with the part of Los Angeles County contained within the following whole census tracts:

1011 through 1436.02, inclusive; 1438.01 through 1439.02, inclusive; 2611.01 through 2674.02, inclusive; 2679; 2714; 2721; 2731 through 2739, inclusive; 3201 through 3203, inclusive; 7006 through 7023, inclusive; 8001 through 9203.23; inclusive; and 9302.

30043. The Third Equalization District shall consist of the following whole counties:

Imperial
Inyo
Kern
Mono
Orange
Riverside
San Bernardino
San Diego

30044. The Fourth Equalization District shall consist of the part of Los Angeles County not contained within the Second Equalization District.

SEC. 6. The districts provided for in Section 3 of this act shall be effective and operative for all purposes on and after the effective date of this act.

The Legislature finds and declares that for efficient administration of the tax laws of this state and service to the taxpayers of this state, the renumbering and revision of the boundaries of the Board of Equalization districts provided for in this act shall become operative on the effective date of this act. Pursuant to Section 3 of this act, the First Equalization District is revised and renumbered as the Second Equalization District; the Second Equalization District is revised and renumbered as the Third Equalization District; the Third Equalization District is revised and renumbered as the First Equalization District; the Fourth Equalization District is revised and continues to be numbered as the Fourth Equalization District.

The Legislature further finds and declares that the electors who chose a board member at the November 3, 1982, General Election will be adequately represented by a board member if these revised districts become effective, and that no voters shall have been disenfranchised by these revisions.

For purposes of Sections 15601, 15602, and 15623 of the Government Code, a member of the State Board of Equalization shall be deemed to be an inhabitant of the district for which the member is chosen if the member is an inhabitant of that district as revised and renumbered by this act.

SEC. 7. If any section or provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other sections or provisions or applications of the act which can be given effect without the invalid section, provision or application, and to this end the sections of this act and the provisions of the sections of this act are severable.

CHAPTER 7

An act to amend Sections 69894.1 and 69894.6 of the Government Code, relating to courts.

[Approved by Governor January 2, 1983 Filed with Secretary of State January 2, 1983.]

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

SECTION 1. Section 69894.1 of the Government Code is amended to read:

69894.1. In the County of Los Angeles a majority of the judges of the superior court may appoint the following officers and employees whose salaries shall be:

Number	Title	Schedule
1	Accountant	51L
2	Accounting Technician	41E
2	Administrative Assistant I	45D[2]
1	Administrative Assistant II	55A
21	Administrative Judicial Secretary	49B
5	Administrative Secretary	46B
1	Arbitration Administrator	59B
1	Assistant Criminal Courts Coordinator	59B
1	Assistant Director, Juror Services	67E
1	Assistant Head, Office Services	49B
1	Assistant Juvenile Courts Coordinator	59B
1	Assistant Supervising Counselor, Mental Health	64K
1	Assistant Supervising Juvenile Traffic Hearing Officer	66E
1	Assistant Supervising Probate Attorney (N.W.)	83H
1	Assistant to the Executive Officer	70E
2	Chief Clerk	51K
1	Chief, Personnel Services	70F
9	Child Custody Investigator	58H
1	Civil Courts Coordinator	69F
38	Court Attendant	44H
58	Court Commissioner	
263	Court Reporter	67H
1	Court Statistician	52E
1	Criminal Courts Coordinator	69F
1	Director, Administrative Services	74F

1	Director, Court Reporter and Interpreter Services	70F
1	Director, Juror Services	74F
1	Director, Management Systems	74F
1	Director, Mediation and Conciliation Services	74F
1	Director, Recognizance Services	69L
1	Duplicating and Mail Unit Supervisor	41H
1	Executive Assistant	64E
1	Executive Officer/Jury Commissioner	E58
1	Finance Officer	64E
1	Graphic Arts Aide	40E
1	Head, Child Custody Investigations	66G
1	Head, Court Attendant Services	56B
1	Head, Management Audits	69L
1	Head, Office Services	56L
1	Head, Property Services	57J
29	Interpreter	41E
46	Investigator (N.X.)	54H
3	Investigator Aide	44A
20	Judicial Secretary	42A
1	Jury Qualification Supervisor	51K
1	Juvenile Courts Coordinator	69F
21	Law Clerk	57B
5	Legal Research Assistant	44F
1	Light Vehicle Driver	34B
1	Management Secretary	48B
3	Office Assistant Trainee	28G
71	Office Assistant I	32G
68	Office Assistant II	36G
32	Office Assistant III	38G
7	Office Assistant IV	40G
7	Offset Duplicator Operator	37B
1	Payroll Records Supervisor	47A
1	Personnel Assistant	40E
1	Principal Counselor	64K
2	Principal Family Counselor	66J
2	Principal Program Analyst	66F
20	Probate Attorney (N.W.)	79F
1	Probate Commissioner	88J
2	Procurement Assistant	43F
1	Program Analyst	56F
3	Program Specialist	53B
1	Project Manager	63E
5	Property Custodian-Auditor	39F
1	Psychiatric Physician	FD
		212.28

10	Referee	
1	Research Attorney (N.W.)	73F
14	Secretary I	40B
8	Secretary II	44B
1	Secretary to Executive Officer	56B
1	Secretary to Presiding Judge	60B
1	Senior Child Custody Investigator	60E
12	Senior Counselor	60G
3	Senior Court Attendant	48H
2	Senior Departmental Personnel Technician	60F
17	Senior Family Counselor	64J
4	Senior Investigator, Own Recognizance	63B
32	Senior Judicial Secretary	45B
25	Senior Juvenile Traffic Hearing Officer	62D
8	Senior Office Assistant I	42G
4	Senior Office Assistant II	46D
1	Senior Offset Duplicator Operator	41B
2	Senior Program Analyst	60F
1	Senior Property Custodian-Auditor	45E
1	Senior Referee	
1	Special Assistant	67E
1	Staff Assistant	46E
1	Supervising Counselor, Mental Health	74F
1	Supervising Juvenile Traffic Hearing Officer	71F
2	Supervising Law Clerk	59B
1	Supply Clerk	39A
250	Volunteer, W/O Compensation	

Whenever a reference to numbered salary schedules and notes is made in this section, those found in the Los Angeles County Code shall apply. Whenever the compensation of superior court judges is adjusted, the flat-rate salaries for court commissioners, senior referees and referees shall be adjusted to maintain the salary relationship of 85 percent of the annual compensation of superior court judges.

Reduction of the schedule applicable to a class by reason of the adoption of this salary plan or subsequent reclassification of position for organizational purposes shall not result in a lower salary rate to incumbents of such positions. The court is authorized to regulate by rule the status of employees so affected.

N.W.—Pursuant to the Los Angeles County Code, employees employed in this position shall be compensated on a six-step salary range, the sixth step being the fifth step of the salary schedule which is two standard salary schedules above the indicated schedule number. The rate or rates established by this provision constitutes a base rate.

N.X.—As defined in Los Angeles County Code Section 6.28.050 with advancement to the seventh step to be granted no sooner than provided Deputy Probation Officer II under Los Angeles County Code Section 6.08.010 (J).

All personnel appointed pursuant to this article shall serve at the pleasure of the court and may at any time be removed by the court in its discretion.

SEC. 2. Section 69894.6 of the Government Code is amended to read:

69894.6. Notwithstanding the provisions of Section 69894.1, in the County of Los Angeles, a majority of the judges of the superior court may appoint 263 court reporters, each of whom shall receive a salary equivalent to the schedule designation 67H in the Los Angeles County Code. Court reporters shall serve at the pleasure of the court and may at any time be removed by the court in its discretion.

Reduction of the schedule applicable to court reporters by reason of the adoption of this salary plan or subsequent reclassification of positions for organizational purposes shall not result in a lower salary rate to incumbent court reporters. The court may regulate by rule the status of employees so affected.

SEC. 3. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because this act is in accordance with the request of a local agency or school district which desired legislative authority to carry out the program specified in this act.

CHAPTER 8

An act to repeal and add Chapter 1 (commencing with Section 30000), Chapter 2 (commencing with Section 30010), and Chapter 3 (commencing with Section 30020) of Division 18 of the Elections Code, relating to redistricting, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor January 2, 1983 Filed with Secretary of State January 2, 1983.]

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

SECTION 1. Chapter 1 (commencing with Section 30000) of Division 18 of the Elections Code is repealed.

SEC. 2. Chapter 1 (commencing with Section 30000) is added to Division 18 of the Elections Code, to read:

CHAPTER 1. GENERAL PROVISIONS

30000. Any maps describing the boundaries of the districts, as contained in this division, which have been prepared by the Legislature or a committee of the Legislature in connection with the enactment of this division may be deposited with the Secretary of State in order to illustrate the boundary lines set forth in this division. Maps deposited with the Secretary of State pursuant to this section may be used by the Secretary of State and the several county clerks for purposes of assisting in the interpretation of this division and to facilitate the Secretary of State and the county clerks in their administrative functions involved in the conduct of elections.

30001. Each house of the Legislature shall be a proper party to, and, if not originally named as a party, shall have the right to intervene in, any action involving the validity or application of any statute which provides for changes in the boundaries of any legislative districts of members of that particular house.

SEC. 3. Chapter 2 (commencing with Section 30010) of Division 18 of the Elections Code is repealed.

SEC. 4. Chapter 2 (commencing with Section 30010) is added to Division 18 of the Elections Code, to read:

CHAPTER 2. ASSEMBLY DISTRICTS

30010. It is the intent of the Legislature in enacting this chapter to pass legislation essentially different from Assembly Bill 300 (Chapter 537 of the Statutes of 1981). It is further the intent of the Legislature to implement Article XXI of the California Constitution and to fully comply with the equal protection requirements of the California and United States Constitutions.

The Legislature has conducted a detailed analysis of Chapter 537 of the Statutes of 1981 and of Chapter 589 of the Statutes of 1981. It has also held public hearings and solicited public comment on the means by which the Legislature can enact a redistricting plan which meets the requirements of the California and United States Constitutions and is essentially different from Assembly Bill 300 (Chapter 537 of the Statutes of 1981). The Legislature accordingly finds that:

(1) Assembly Bill 300 (Chapter 537 of the Statutes of 1981) was placed on the ballot for the June 1982 primary election and was disapproved by the voters pursuant to Section 9 of Article II of the California Constitution and is therefore of no force and effect.

(2) This chapter is essentially different from that rejected by the voters and fully complies with the requirements of the California and

United States Constitutions.

(3) Passage of this redistricting plan in this form is necessary in order to comply with the requirements of the California and United States Constitutions with regard to the equal protection of the laws, the decennial redistricting of the Assembly, the contiguity of districts, the consecutive numbering of districts from north to south, and the geographical integrity of cities, counties, and regions.

If any census tract, block, block group, or enumeration district is omitted, listed more than once, or is only partially provided for, it is the intent of the Legislature that the districts be defined in such a manner as to not omit any area of California from a district and to comply with the standard of Article XXI of the California Constitution requiring that districts be reasonably equal. In order to carry out the intent of the Legislature as expressed in these sections, the Secretary of State shall undertake necessary measures to insure compliance with this section.

30011. For purposes of this chapter, references to "CT" shall mean "census tract", as that demographic unit is established by the United States Bureau of the Census for the 1980 census as described by maps and publications of the bureau. References to "Block", "Blocks", "Block Groups", "Enumeration District", or "Enumeration Districts", refer to those demographic units as established by the United States Census Bureau for the 1980 census as described by maps and publications of the bureau.

In addition, any reference to a "city," "city boundaries," or "city limits" shall refer to the boundaries or limits of the particular city as they existed on January 1, 1980.

Assembly District 1: Assembly District 1 shall consist of the following whole counties:

Glenn
Lassen
Modoc
Plumas
Shasta
Siskiyou
Tehama
Trinity

together with the part of Butte County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 14
CT 16

Partial Census Tracts:

CT 1—That portion contained within the following blocks: 102, 103, and 104; together with that portion of blocks 101 and 106 in the unincorporated land.

CT 2—That portion outside the City of Chico.

CT 3—That portion contained within blocks 101 through 109, inclusive.

CT 4—That portion outside the City of Chico.

CT 5—That portion contained within the following blocks: 101 through 113, inclusive, 122 and 123; together with that portion of block 114 in the unincorporated land.

CT 9—That portion outside the City of Chico.

CT 11—That portion outside the City of Chico.

Assembly District 2: Assembly District 2 shall consist of the following whole counties:

Del Norte
Humboldt
Mendocino

together with the part of Sonoma County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 1512.02
CT 1513.01
CT 1513.02
CT 1513.03
CT 1532
CTs 1534.01 through 1540
CT 1543

Partial Census Tracts:

CT 1512.01—That portion contained within the following blocks: 101, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 120, 123, 132, 201, 203, 204, 205, 206, 208, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312 together with that portion of Blocks 102 and 107 within the City of Rohnert Park together with that portion of Blocks 107, 118, 119, 121, 122, 202, and 207 within the City of Cotati, together with the unincorporated portions of Blocks 102, 118, 119, 121, 122, 202, and 207.

CT 1530.04—That portion contained within block 404 in the City of Sebastopol.

CT 1531—That portion contained within Block Groups 1, 2, and 3 in the unincorporated land.

CT 1513.04—That portion contained within the following blocks: 310, 401, 402, 403, 404, 405, 406, 407, 409, 410, and 411 together with that portion of Blocks 301, 302, 303, 304, 308, 309, and 408 in the City of Rohnert Park.

CT 1533—That portion contained within the following blocks: 103, 104, 105, 106, 114, 115, 201, 202, 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, and 506 and that portion of Blocks 101, 102, 107 and 113 in the unincorporated land.

CT 1542—That portion contained within the following Enumeration Districts: 11, 12, and 14.

Assembly District 3: Assembly District 3 shall consist of the following whole counties:

Colusa
Nevada
Sierra

Sutter
Yuba
together with the part of Butte County not contained in Assembly District 1.

Assembly District 4: Assembly District 4 shall consist of the whole County of Solano, together with the part of Yolo County contained within the following whole census tracts:

Whole Census Tracts:
CT 101.01
CT 102.01
CT 102.02
CT 103
CT 104
CT 105.01
CT 105.03
CT 105.04
CT 105.05
CT 105.06
CT 106.02
CT 106.03
CT 106.04
CT 107.01
CT 107.02

Assembly District 5: Assembly District 5 shall consist of the part of Sacramento County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 72.01
CT 72.02
CT 72.03
CT 73.00
CT 74.02
CT 74.03
CT 74.04
CT 74.06
CT 74.07
CT 74.08
CT 75.00
CT 76.00
CT 79.01
CT 79.02
CT 80.01
CT 80.03
CT 80.04
CT 81.02
CT 81.03
CT 81.05
CT 81.06
CT 81.07

CT 81.08
CT 81.09
CT 81.10
CT 81.11
CT 81.12
CT 82.02
CT 82.03
CT 82.04
CT 82.05

Partial Census Tract:

CT 74.09—That portion contained within the following blocks: 342, 343, 349, 350, 351, 352, 362, 363, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 501, 502, 503, 504, 505, 506, 507, 508, 509, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 614, 615, 616, 701, 702, 703 and that portion of Block 704 contained in the unincorporated land.

together with the part of Placer County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 203
CT 204
CT 205
CT 206.01
CT 206.02
CT 206.03
CT 207
CT 208
CT 209
CT 210
CT 211
CT 215

Partial Census Tracts:

CT 212—That portion contained within the City of Rocklin.
CT 213—That portion contained within EDs 735, 736, and 741.
CT 214—That portion contained within ED 737 and 738.

Assembly District 6: Assembly District 6 shall consist of the part of Sacramento County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1
CT 2
CT 3
CT 4
CT 13
CT 14
CT 15
CT 16
CT 17
CT 18

CT 19
CT 28
CT 29
CT 30
CT 31.01
CT 31.02
CT 32.02
CT 35.01
CT 35.02
CT 36
CT 37
CT 38
CT 41
CT 44.01
CT 44.02
CT 45
CT 46.01
CT 46.02
CT 47
CT 52.01
CT 52.02
CT 52.03
CT 54.01
CT 54.02
CT 55.02
CT 55.03
CT 55.04
CT 56.01
CT 56.02
CT 57.01
CT 57.02
CT 58.01
CT 58.02
CT 59.01
CT 59.02
CT 77
CT 78
CT 88
CT 89.03
CT 89.05
CT 91.01
CT 91.02
CT 91.03
CT 91.04

Partial Census Tracts:

CT 53—That portion contained within Blocks 915 and 918.

CT 69—That portion contained within the following blocks: 201, 202, 220, and 221.

CT 87—That portion contained within Block 922.

CT 89.04—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 117, 118, 119, 125, 126, 201, 202, 203, 205, 206, 207, 208, 209, 210, 211, and 212.

CT 89.06—That portion contained within the following blocks: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 124, 125, 126, 127, 128, 129, 130, 302, 303, 304, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 340, and 341.

CT 90—That portion not contained in Assembly District 7.

Assembly District 7: Assembly District 7 shall consist of the following whole counties:

Alpine
Amador
Calaveras
El Dorado
Mono
Tuolumne

together with the part of Placer County not contained in Assembly District 5, and together with the part of Sacramento County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 32.01
CT 42.02
CT 42.03
CT 48
CT 49.01
CT 49.02
CT 50
CT 51
CT 82.01
CT 83
CT 84
CT 85
CT 86
CT 92

Partial Census Tracts:

CT 43—That portion contained within the following blocks: 125, 126, 127, 128. 129, 130, 131, 132, 133, 145, 146, 147, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, and 213.

CT 87—That portion not contained in Assembly District 6.

CT 89.04—That portion contained within Block 902.

CT 89.06—That portion contained within the following blocks: 338 and 339.

CT 90—That portion contained within Block 609.

CT 93.01—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 301, 302, 305, 911, 912, 913, 914, 915, 916, 917, 932, 933, and 934.

CT 94—That portion not contained in Assembly District 10.

CT 96—That portion contained within the City of Sacramento.

Assembly District 8: Assembly District 8 shall consist of the following whole counties:

Lake

Napa

together with the part of Sonoma County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1502
CT 1517
CT 1518
CT 1519
CT 1520
CT 1521
CT 1522
CT 1523
CT 1524
CT 1525.01
CT 1525.02
CT 1527
CT 1528
CT 1529.01
CT 1529.02
CT 1530.01
CT 1530.02
CT 1530.03
CT 1541.00

Partial Census Tracts:

CT 1514—That portion contained within the City of Santa Rosa.

CT 1515.01—That portion contained within the City of Santa Rosa.

CT 1515.02—That portion contained within the City of Santa Rosa.

CT 1516—That portion contained within the City of Santa Rosa.

CT 1526—That portion contained within the City of Santa Rosa; together with blocks 110, 111, 112, 123, and 301 in the unincorporated land, and together with Enumeration Districts 58 and 60.

CT 1531—That portion contained within Block Groups 1 and 3 in the City of Santa Rosa.

CT 1533—That portion contained within the following blocks: 108, 109, 110, 111, and 306 together with that portion of Blocks 101, 102, 107 and 113 in the City of Santa Rosa.

CT 1530.04—That portion contained within the following blocks: 101, 102, 103, 104, 105, 109, 110, 301, 302, 303, 304, 305, 306, 307, 310, 106, 107, 108, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 401, 402, 403 and that part of Block 404 in the unincorporated land.

CT 1542.00—That portion contained within the following Enumeration Districts: 1, 2, 3, 4, 5, 6. 13A, 13B, 13C, 13D, and 13E. together with the part of Yolo County contained within the following

whole census tracts:
Whole Census Tracts:
CT 101.02
CT 108
CT 109
CT 110
CT 111
CT 112.01
CT 112.02
CT 113
CT 114
CT 115

Assembly District 9: Assembly District 9 shall consist of the whole County of Marin, together with the part of Sonoma County not contained in Assembly District 2 or 8.

Assembly District 10: Assembly District 10 shall consist of the part of Contra Costa County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 3010
CT 3020
CT 3031
CT 3032
CT 3040
CT 3060
CT 3071
CT 3072.01
CT 3072.02
CT 3072.03
CT 3080
Partial Census Tracts:
CT 3050—That portion not contained within Assembly 11.
CT 3551.01—That portion contained within the City of Antioch.
together with the part of San Joaquin County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 41.02
CT 42.01
CT 42.02
CT 43.02
CT 43.03
CT 43.04
CT 44
CT 45
CT 46
CT 47
Partial Census Tracts:
CT 40—That portion contained within Enumeration District 9 and 10.

CT 41.01—That portion contained within the City of Lodi. together with the part of Sacramento County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 5
CT 6
CT 7
CT 8
CT 9
CT 10
CT 11
CT 12
CT 20
CT 21
CT 22
CT 23
CT 24
CT 25
CT 26
CT 27
CT 33
CT 34
CT 39
CT 40.01
CT 40.02
CT 40.03
CT 42.01
CT 60
CT 61
CT 62.01
CT 62.02
CT 63
CT 64
CT 65
CT 66
CT 67
CT 68
CT 70.01
CT 70.02
CT 71
CT 72.04
CT 93.02
CT 95
CT 97
CT 98

Partial Census Tracts:

CT 43—That portion contained within the following blocks: 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, and 124.

CT 53—That portion contained within the following blocks: 101,

103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 150, 151, 152, 153, 154, 155, 202, 203, 204, 205, 206, 207, 208, 209, 301, 302, 304, 305, 916, and 917.

CT 69—That portion contained within the following blocks: 101, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 130, 131, 301, 303, 304, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 345, 401, 402, 403, 404, 405, 406, 407, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, and 623.

CT 74.09—That portion contained within the following blocks: 525, 527, 705, 706, 707, 708, 709, 710, 902, and 904 and that portion of Block 704 in the City of Sacramento.

CT 93.01—That portion contained within the following blocks: 303, 304, 306, 307, 308, 309, 310, 311, 312, 313, 314, and 324; and together with that portion contained within Enumeration District 6.

CT 94—That portion contained within Enumeration District 7.

CT 96—That portion not in Assembly District 7.

Assembly District 11: Assembly District 11 shall consist of the part of Contra Costa County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 3090
CT 3100
CT 3110
CT 3120
CT 3131.01
CT 3131.02
CT 3131.03
CT 3132.01
CT 3132.02
CT 3141
CT 3142
CT 3142.99
CT 3150
CT 3150.99
CT 3160
CT 3170
CT 3180
CT 3190
CT 3200.01
CT 3200.02
CT 3200.99
CT 3211.01
CT 3211.03
CT 3290

CT 3300
CT 3310
CT 3320
CT 3331
CT 3332
CT 3340.01
CT 3340.02
CT 3340.03
CT 3552
CT 3560.01
CT 3570
CT 3580
CT 3580.99
CT 3591.01
CT 3591.02
CT 3592.01
CT 3592.02
CT 3601
CT 3602
CT 3620
CT 3630
CT 3640.01
CT 3640.02
CT 3650.01
CT 3650.02
CT 3660
CT 3671
CT 3672
CT 3680
CT 3690
CT 3700
CT 3710
CT 3720
CT 3730
CT 3740
CT 3750
CT 3760
CT 3770
CT 3780
CT 3780.99
CT 3790
CT 3800
CT 3800.99
CT 3810
CT 3820
CT 3830

Partial Census Tracts:

CT 3050—That portion contained within the City of Pittsburg; together with that portion contained within the unincorporated land

in Blocks 901, 902, 903, 905, 906, and 907.

CT 3211.02—That portion contained within the following blocks: 104, 105, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210 and that part of Block 129 contained within the City of Martinez.

CT 3212—That portion not contained in Assembly District 12.

CT 3270—That portion contained within the following blocks: Block Groups 1 , 2, 4, 5, and 6, and Block 901.

CT 3470—That portion contained within the City of Martinez.

CT 3553.01—That portion not contained within Assembly District 15.

CT 3553.02—That portion contained within the City of Concord.

CT 3553.04—That portion contained within block 502 and that part of Block 503 in the unincorporated land and the City of Concord.

CT 3560.02—That portion contained within the City of Martinez, together with that portion contained within the City of Pinole together with that portion contained within the unincorporated areas of Blocks 905, 906, 907, 908, 909, 910, and 913.

CT 3610—That portion not contained in Assembly District 12.

Assembly District 12: Assembly District 12 shall consist of the part of Alameda County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 4001
CT 4002
CT 4003
CT 4004
CT 4011
CT 4012
CT 4038
CT 4039
CT 4040
CT 4041
CT 4042
CT 4043
CT 4044
CT 4045
CT 4046
CT 4047
CT 4048
CT 4049
CT 4050
CT 4051
CT 4201
CT 4202
CT 4203
CT 4204
CT 4205
CT 4206
CT 4211

CT 4212
CT 4213
CT 4214
CT 4215
CT 4216
CT 4217
CT 4218
CT 4219
CT 4220
CT 4221
CT 4222
CT 4223
CT 4224
CT 4225
CT 4226
CT 4227
CT 4228
CT 4229
CT 4230
CT 4231
CT 4232
CT 4233
CT 4234
CT 4235
CT 4236
CT 4237
CT 4238
CT 4239
CT 4240
CT 4261
CT 4262

Partial Census Tract:

CT 4080—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, and 901.

together with the part of Contra Costa County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 3220
CT 3230
CT 3240
CT 3250
CT 3280
CT 3350
CT 3361
CT 3362
CT 3371
CT 3372
CT 3840
CT 3851

CT 3852
CT 3860
CT 3870
CT 3880
CT 3891
CT 3892
CT 3901
CT 3902
CT 3910
CT 3920

Partial Census Tracts:

CT 3211.02—That portion not contained in Assembly District 11.

CT 3212—That portion contained within the following blocks: 211, 212, 213, 215 and that portion of Blocks 209 and 216 within the City of Pleasant Hill.

CT 3260—That portion contained within the City of Pleasant Hill.

CT 3270—That portion contained within the following blocks: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 314, and 315.

CT 3373—That portion of Block 101 contained in the City of Concord and Blocks 201, 202, 203, 204, 211, 212, 213, 217, 305, 306, and 307.

CT 3381—That portion contained within the following blocks. 101, 102, 103, 104, 106, 108, 109, 110, 111, 113, 114, 115, 116, 118, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 215, 304, 305, 312, 313, 314, 317, together with that portion of Block 316 within the City of Pleasant Hill.

CT 3382.01—That portion contained within the following blocks: 115, 117, 118, 125, 129, 130, 131, 132, 133, 202, and that portion of Blocks 201 and 206 in the City of Concord.

CT 3470—That portion not contained in Assembly District 11 or Assembly District 15.

CT 3560.02—That portion not contained in Assembly District 11.

CT 3610—That portion contained within the City of El Cerrito.

Assembly District 13: Assembly District 13 shall consist of the part of Alameda County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 4005
CT 4006
CT 4007
CT 4008
CT 4009
CT 4010
CT 4013
CT 4014
CT 4015
CT 4016
CT 4017
CT 4017.99

CT 4018
CT 4019
CT 4019.99
CT 4020
CT 4021
CT 4022
CT 4023
CT 4024
CT 4025
CT 4026
CT 4027
CT 4028
CT 4029
CT 4030
CT 4031
CT 4032
CT 4032.99
CT 4033
CT 4034
CT 4035
CT 4036
CT 4037
CT 4052
CT 4053
CT 4054
CT 4055
CT 4056
CT 4057
CT 4058
CT 4059
CT 4060
CT 4061
CT 4062
CT 4063
CT 4064
CT 4065
CT 4066
CT 4067
CT 4068
CT 4069
CT 4070
CT 4071
CT 4072
CT 4073
CT 4074
CT 4075
CT 4076
CT 4077
CT 4078

CT 4079
CT 4081
CT 4082
CT 4083
CT 4084
CT 4085
CT 4086
CT 4087
CT 4088
CT 4089
CT 4094
CT 4251
CT 4271
CT 4272
CT 4272.99
CT 4273
CT 4273.99
CT 4274
CT 4274.99
CT 4275
CT 4275.99
CT 4276
CT 4277
CT 4278
CT 4279
CT 4280
CT 4281
CT 4282
CT 4283
CT 4284
CT 4285
CT 4286

Partial Census Tracts:

CT 4080—That portion contained within the following blocks: 201, 202, 204, 206, 208, 902, 904, 905, and 906.

CT 4090—That portion contained within the following blocks: 401, 403, 404, 405, 406, 407, 501, 502, 503, 504, 505, 916, 917, 918, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, and 938.

CT 4095—That portion contained within the following blocks: 107, 108, 109, 201, 202, 203, 204, 205, 206, 207, 208, 210, 211, 212, 301, 302, 303, 304, 305, 306, 307, and 401.

CT 4096—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 505, 506, 507, 508, 509, 510, 511, and 512.

CT 4097—That portion contained within the following blocks: 101, 102, 103, 307, 308, 401, 402, 403, 404, 405, 406, 407, 408, 409, and 410.

Assembly District 14: Assembly District 14 shall consist of the part of Alameda County contained within the following whole and partial

census tracts:
Whole Census Tracts:
CT 4091
CT 4092
CT 4093
CT 4098
CT 4099
CT 4100
CT 4101
CT 4102
CT 4103
CT 4104
CT 4301
CT 4302
CT 4303
CT 4304
CT 4305
CT 4306
CT 4307
CT 4308
CT 4309
CT 4310
CT 4311
CT 4312
CT 4321
CT 4322
CT 4323
CT 4324
CT 4325
CT 4326
CT 4327
CT 4328
CT 4329
CT 4330
CT 4331
CT 4332
CT 4333
CT 4334
CT 4335
CT 4336
CT 4337
CT 4338
CT 4339
CT 4340
CT 4352
CT 4353
CT 4354
CT 4355
CT 4356

CT 4357
CT 4358
CT 4359
CT 4360
CT 4361
CT 4362
CT 4363
CT 4364
CT 4365
CT 4366
CT 4367
CT 4368
CT 4369
CT 4370
CT 4371
CT 4372
CT 4373
CT 4374
CT 4375
CT 4376
CT 4377
CT 4378
CT 4379
CT 4381
CT 4382
CT 4383
CT 4384

Partial Census Tracts:

CT 4090—That portion contained within the following blocks: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307, 308, 506, 507, 508, and 509.

CT 4095—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 402, 403, 404, 405, 406, and 407.

CT 4096—That portion contained within the following blocks: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 501, 502, 503, and 504.

CT 4097—That portion contained within the following blocks: 105, 106, 107, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, and 306.

CT 4351—All of Tract 4351 except those parts of Blocks 906 and 918 contained within the City of Union City.

CT 4380—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205, 206, 207, 208, 209 and that part of Block 901 contained within the City of Hayward.

CT 4506.01—That part of Block 919 contained within the City of Hayward and the enclosed county unincorporated area.

Assembly District 15: Assembly District 15 shall consist of the part

of Alameda County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 4501
CT 4502
CT 4503
CT 4504
CT 4505
CT 4506.02
CT 4506.03
CT 4506.04
CT 4506.05
CT 4506.06
CT 4506.07
CT 4507.02
CT 4507.03
CT 4507.04
CT 4511.00
CT 4512
CT 4513
CT 4514
CT 4515
CT 4516
CT 4517

Partial Census Tracts:

CT 4506.01—That portion contained within Blocks 929, 930, and that part of Block 919 contained in the City of Pleasanton.

CT 4507.01—That portion contained within the City of Pleasanton.

together with the part of Contra Costa County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 3382.02
CT 3383.01
CT 3383.02
CT 3390
CT 3400.01
CT 3400.02
CT 3410
CT 3420
CT 3430.01
CT 3430.02
CT 3430.03
CT 3440
CT 3451.01
CT 3451.02
CT 3451.03
CT 3451.04
CT 3451.05

CT 3451.06
CT 3452.01
CT 3452.02
CT 3461.01
CT 3461.02
CT 3462.01
CT 3462.02
CT 3480
CT 3490
CT 3500
CT 3511
CT 3512
CT 3521.01
CT 3521.02
CT 3522.01
CT 3522.02
CT 3530.01
CT 3530.02
CT 3540
CT 3551.02
CT 3551.03
CT 3553.03
CT 3553.05

Partial Census Tracts:

CT 3260—That portion not contained in Assembly District 12.

CT 3373—That part of Block 101 contained within the City of Walnut Creek and the unincorporated area and Blocks 102, 106, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 128, and 129.

CT 3381—That portion contained within the following blocks: 306, 307, 308, 309, 310, 311, 315, 318, together with that portion of Block 316 within the City of Concord.

CT 3382.01—That portion not contained in Assembly District 12.

CT 3470—That portion contained within Block 122 and those portions of Blocks 108 and 901 contained within the City of Lafayette.

CT 3551.01—That portion not contained with Assembly District 10.

CT 3553.01—That portion contained within the City of Clayton and within the City of Walnut Creek.

CT 3553.02—That portion not contained in Assembly District 11.

CT 3553.04—That portion not contained in Assembly District 11.

Assembly District 16: Assembly District 16 shall consist of the part of the City and County of San Francisco contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 101
CT 102
CT 103
CT 104

CT 105
CT 105.99
CT 106
CT 107
CT 108
CT 109
CT 112
CT 113
CT 114
CT 115
CT 116
CT 117
CT 118
CT 119
CT 121
CT 123
CT 125
CT 176.01
CT 176.02
CT 177
CT 178
CT 179.01
CT 179.02
CT 179.99
CT 180
CT 201
CT 202
CT 203
CT 205
CT 206
CT 207
CT 208
CT 209
CT 210
CT 211
CT 212
CT 213
CT 214
CT 215
CT 218
CT 226
CT 226.99
CT 227
CT 228
CT 229
CT 230
CT 231
CT 232
CT 233

CT 234
CT 251
CT 252
CT 253
CT 254
CT 255
CT 256
CT 257
CT 258
CT 259
CT 260
CT 261
CT 262
CT 263
CT 264
CT 605
CT 606
CT 606.99
CT 607
CT 608
CT 608.99
CT 609
CT 610

Partial Census Tracts:

CT 204—That portion contained within the following blocks: 117, 118, 201, 206, 208, and 209.

CT 216—That portion contained within Block 117.

CT 217—That portion contained within the following blocks: 101, 102, 103, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 208, 209, and 212.

CT 307—That portion contained within the following blocks: 210, 213, 214, 215, 216, 217, 218, and 219.

CT 311—That portion contained within the following blocks: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 301, 302, 306, 307, 308, 309, 403, 404, 405, 406, 407, 408, 410, 504, 505, 506, 507, 508, 509, and 510.

Assembly District 17: Assembly District 17 shall consist of the part of the City and County of San Francisco contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 110
CT 111
CT 120
CT 122
CT 124
CT 126
CT 127
CT 128
CT 129

CT 130
CT 131
CT 132
CT 133
CT 134
CT 135
CT 151
CT 152
CT 153
CT 154
CT 155
CT 156
CT 157
CT 158
CT 159
CT 160
CT 161
CT 162
CT 163
CT 164
CT 165
CT 166
CT 167
CT 168
CT 169
CT 170
CT 171
CT 301.01
CT 301.02
CT 302
CT 305
CT 310
CT 312
CT 313
CT 314
CT 401
CT 402
CT 426
CT 427
CT 428
CT 451
CT 452
CT 476
CT 477
CT 478
CT 479
CT 601
CT 602
CT 603

Partial Census Tracts:

CT 204—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 202, 205, 210, 211, 305, 309, 311, 313, 314, 316, 402, 404, 405, 406, 407, 408, 412, 501, 502, 504, 505, 506, 507, 508, 509, 511, 512, 601, 602, 603, 604, 605, 606, 608, 609, 611, and 612.

CT 216—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 201, 202, 203, 205, 206, 207, 208, 209, and 210.

CT 217—That portion contained within the following blocks: 106, 201, 202, 203, 204, 205, 206, 207, 210, and 211.

CT 303—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 304, 305, 306, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 601, 602, 603, 604, 605, 606, 607, 611, 612, 613, 614, 615, 616, 701, 702, 703, 704, 705, 706, 707, 708, 709, and 710.

CT 306—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 201, 202, 203, 204, 205, 206, 208, 209, 211, 301, 302, 304, 307, 308, 309, 310, 311, and 312.

CT 307—That portion contained within the following blocks: 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 113, 114, 115, 116, 117, 119, 120, 121, 122, 123, 201, 203, 205, 206, 207, 208, 211, 212, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, and 319.

CT 309—That portion contained within the following blocks: 301, 303, 304, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 401, 402, 403, 406, and 407.

CT 311—That portion contained within the following blocks: 310, 311, 401, 402, 409, 501, 502, 503, 511, and 512.

CT 326—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307, 605, 607, 608, 609, and 610.

CT 327—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205, 206, 304, 305, 306, 703, 704, 705, 706, 707, and 708.

CT 351—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307, and 401.

CT 352—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 201, 202, 203, 204, 205, 206, 207, 301, 302, and 406.

Assembly District 18: Assembly District 18 shall consist of the part of Alameda County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 4401

CT 4402

CT 4403.01

CT 4403.02

CT 4403.03
CT 4403.04
CT 4403.05
CT 4403.06
CT 4403.07
CT 4403.08
CT 4403.09
CT 4411
CT 4412
CT 4413
CT 4414
CT 4415
CT 4416
CT 4417
CT 4418
CT 4419.01
CT 4419.02
CT 4420
CT 4421
CT 4422
CT 4423
CT 4424
CT 4425
CT 4426
CT 4427
CT 4428
CT 4429
CT 4430
CT 4431
CT 4432
CT 4433
CT 4441
CT 4442
CT 4443
CT 4444
CT 4445
CT 4446

Partial Census Tracts:

CT 4351—Those parts of Blocks 906 and 918 contained within the City of Union City.

CT 4380—That portion not contained in Assembly District 14.

CT 4506.01—That portion contained within the following blocks: 915, 917, 918, 926, 927, 928, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, and 950 and that portion of 919 not in the City of Hayward or Pleasanton.

CT 4507.01—That portion not contained in Assembly District 15. together with the part of Santa Clara County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 5043.04
CT 5043.05
CT 5043.06
CT 5043.07
CT 5044.02
CT 5044.06
CT 5044.07
CT 5044.08
CT 5044.09
CT 5044.10
CT 5044.11
CT 5045.01
CT 5045.03

Partial Census Tracts:

CT 5038.01—That portion contained within the following blocks: 401, 402, 403, 404, 405, 407, 408, 409, 410, 416, 417, 419, 424, 425, 426, 435, and 436.

CT 5038.02—That portion contained within the following blocks: 117, 121, 122, 123, 124, 125, 126, and 127.

CT 5043.03—That portion contained within the following blocks: 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 601, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, and 620.

CT 5043.08—That portion contained within the following blocks: 101, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 120, 121, 122, 123, 124, 913, 915, 916, 920, 926, 927, and 928.

CT 5046.02—That portion contained within Block 934 in the City of Milpitas.

CT 5050.02—That portion contained within Block 120 in the City of Milpitas.

Assembly District 19: Assembly District 19 shall consist of the part of the City and County of San Francisco contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 304
CT 308
CT 328
CT 329
CT 330
CT 331
CT 332
CT 353
CT 354
CT 604

Partial Census Tracts:

CT 303—That portion contained within the following blocks: 307, 308, 309, 310, 311, 312, 313, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, and 413.

CT 306—That portion contained within Block 210.

CT 309—That portion contained within the following blocks: 101, 102, 103, 104, 105, 108, 110, 111, 112, 113, 114, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 212, 213, 214, 215, 216, 217, 218, 219, 408, 409, 410, 411, 412, 415, 416, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 702, 703, 704, 705, 706, 707, 708, 709, 710, 712, 713, 714, and 715.

CT 326—That portion contained within the following blocks: 401, 402, 403, 404, 405, 406, 407, 501, 502, 503, 504, 505, 506, 507, 601, 602, 603, 604, and 606.

CT 327—That portion contained within the following blocks: 301, 302, 303, 401, 402, 403, 404, 405, 406, 501, 502, 503, 504, 505, 506, 601, 602, 603, 604, 605, 606, 607, 608, 701, and 702.

CT 351—That portion contained within the following blocks: 402, 403, 404, 405, 406, 407, 501, 502, 503, 504, 505, 506, 507, 601, 602, 603, 604, 605, 606, 607, 701, 702, 703, 704, 705, 706, 707, 708, and 709.

CT 352—That portion contained within the following blocks: 303, 304, 305, 306, 401, 402, 403, 404, 405, 501, 502, 503, 504, 505, 506, 601, 602, 603, 604, 605, 606, 701, 702, 703, 704, 705, 706, 801, 802, 803, 804, 805, 806, 807, and 808.

together with the part of San Mateo County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 6001
CT 6002
CT 6003
CT 6004
CT 6005
CT 6006
CT 6007
CT 6008
CT 6009
CT 6010
CT 6011
CT 6012
CT 6013
CT 6014
CT 6015
CT 6016.01
CT 6016.02
CT 6016.03
CT 6017
CT 6018
CT 6019
CT 6020
CT 6021
CT 6022
CT 6023
CT 6024
CT 6025

CT 6026
CT 6027
CT 6028
CT 6029
CT 6030
CT 6031
CT 6032
CT 6033
CT 6034
CT 6035
CT 6036
CT 6037
CT 6038
CT 6039
CT 6040
CT 6041.01
CT 6041.02
CT 6042
CT 6043
CT 6045

Partial Census Tracts:

CT 6044—That portion contained within the following blocks: 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 322, 323, and 325.

CT 6046—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 112, 201, and 208.

CT 6048—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114, 115, and 116.

Assembly District 20: Assembly District 20 shall consist of the part of San Mateo County contained in the following whole and partial census tracts:

Whole Census Tracts:

CT 6047
CT 6049
CT 6050
CT 6051
CT 6052
CT 6053
CT 6054
CT 6055
CT 6056
CT 6057
CT 6058
CT 6059
CT 6060
CT 6061
CT 6062
CT 6063
CT 6064
CT 6065

CT 6066
CT 6067
CT 6068
CT 6069
CT 6070
CT 6071
CT 6072
CT 6073
CT 6074
CT 6075
CT 6076
CT 6077
CT 6078
CT 6079
CT 6080.01
CT 6080.02
CT 6080.03
CT 6080.04
CT 6081
CT 6082
CT 6083
CT 6084
CT 6085
CT 6086
CT 6087
CT 6088
CT 6089
CT 6090
CT 6091
CT 6092
CT 6093
CT 6094
CT 6095
CT 6096.01
CT 6096.02
CT 6096.03
CT 6097
CT 6099
CT 6101
CT 6114
CT 6115
CT 6126
CT 6127
CT 6128
CT 6129
CT 6130
CT 6131
CT 6132
CT 6133

CT 6134
CT 6135
CT 6136
CT 6137
CT 6138

Partial Census Tracts:

CT 6044—That portion contained within the following blocks: 202, 203, 204, 205, 206, 207, 208, 210, 211, 212, 213, 218, 219, 220, 221, 222, 223, 224, 301, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, and 321.

CT 6046—That portion contained within the following blocks: 202, 203, 204, 205, 206, and 207.

CT 6048—That portion contained within the following blocks: 112, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 403, 404, 405, 406, 407, 408, and 409.

CT 6098—That portion contained within the following blocks: 101, 102, 105, 106, 107, 108, 214, 216, 217, 219, 220, 222, 223, 229, 230, 231, 232, 233, 234, 302, 309, 310, 311, 312, 313, 401, 402, 403, 404, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, and 512.

CT 6100—That portion contained within the following blocks: 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 130, 131, 132, 133, 134, 135, 136, 201, 202, 234, 235, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, and 314.

CT 6102—That portion contained within Blocks 701, 702, and 703.

CT 6103—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 908, 909, 910, 912, 913, and 914.

CT 6111—That portion contained within the following blocks: 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 122, 123, 129, 130, 131, 132, 133, 134, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 233, 234, 236, 301, 302, 303, 304, and 305.

CT 6112—That portion contained within the following blocks: 101, 102, 107, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, and 134.

CT 6113—That portion contained within the following blocks: 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, and 306.

CT 6124—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 108, 109, and 110.

CT 6125—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 125, 126, 127, 128, 211, 212, 215, 216, 217, 218, 219, and 403.

Assembly District 21: Assembly District 21 shall consist of the part of San Mateo County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 6104

CT 6105
CT 6106
CT 6107
CT 6108
CT 6109
CT 6110
CT 6116
CT 6117
CT 6118
CT 6119
CT 6120
CT 6121
CT 6122
CT 6123

Partial Census Tracts:

CT 6098—That portion contained within the following blocks: 301, 303, 304, 305, 306, 307, 308, and 314.

CT 6100—That portion contained within the following blocks: 137, 138, 139, 140, 141, 142, 143, 144, 145, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 230, 231, 232, and 233.

CT 6102—That portion contained within the following blocks: 101, 102, 104, 105, 240, 241, 242, 243, 244, 245, 303 through 321, 323 through 330, 332, 333, 334, 335, 336, 337, 339, 340, 341 through 367, 410, 413, 414 through 420, 422 through 437, 501, 502, 503, 506, 507, 508, 509, 510 through 516, 518 through 523, 526 through 530, 532, 533, 534, 537, 538, 539, 540 through 546, 548, 549, 550, 551, 553, 555, 557, 558, 559, 560 through 567, 601, 602, 603, 604, 605, 606, 607, 608, 801, 802, 901, 902, and 903.

CT 6103—That portion contained within the following blocks: 901, 902, 903, 904, and 906.

CT 6111—That portion contained within the following blocks: 216, 217, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, and 237.

CT 6112—That portion contained within the following blocks: 104, 105, 106, 108, 109, 110, and 111.

CT 6113—That portion contained within the following blocks: 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212.

CT 6124—That portion contained within Block 107.

CT 6125—That portion contained within the following blocks: 214, 404, 405, 406, 407, 408, 409, 502, 503, 504, 505, 506, and 507.

together with the part of Santa Clara County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 5046.01
CT 5047
CT 5048.02
CT 5048.03

CT 5048.04
CT 5084.01
CT 5084.02
CT 5085.03
CT 5085.04
CT 5085.05
CT 5086
CT 5087.01
CT 5087.03
CT 5088
CT 5089
CT 5090
CT 5091.02
CT 5091.03
CT 5091.04
CT 5091.05
CT 5092.01
CT 5092.02
CT 5093.01
CT 5093.02
CT 5094.01
CT 5094.02
CT 5095
CT 5096
CT 5097
CT 5098.01
CT 5098.02
CT 5099.02
CT 5106
CT 5107
CT 5108.01
CT 5108.02
CT 5108.03
CT 5109
CT 5110
CT 5111
CT 5112
CT 5113
CT 5114
CT 5115
CT 5116.02
CT 5116.03

Partial Census Tracts:

CT 5046.02—That portion of Block Group 9 within the City of Sunnyvale.

CT 5052.01—That portion of Block Group 4 within the City of Sunnyvale.

CT 5081.01—That portion not contained in Assembly District 22.

CT 5082.01—That portion not contained in the City of Cupertino.

CT 5083.04—That portion contained within the following blocks: 112, 113, and 114.

CT 5085.06—That portion not contained in Assembly District 23.

CT 5087.02—That portion not contained in Assembly District 23.

CT 5099.01—That portion contained within the City of Mountain View.

CT 5100.01—That portion contained within the City of Mountain View.

CT 5116.01—That portion not contained in Assembly District 22.

CT 5117.01—That portion contained within the City of Palo Alto.

CT 5117.03—That portion contained within the City of Palo Alto together with the remainder of Block 205.

CT 5117.04—That portion contained within the City of Palo Alto together with Blocks 918, 933, and the remainder of Block 920.

Assembly District 22: Assembly District 22 shall consist of the part of Santa Clara County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 5062.02
CT 5062.04
CT 5063.04
CT 5063.05
CT 5065.01
CT 5065.02
CT 5065.03
CT 5066.01
CT 5066.03
CT 5066.04
CT 5066.05
CT 5066.06
CT 5067.01
CT 5067.02
CT 5067.03
CT 5068.01
CT 5068.04
CT 5069
CT 5070
CT 5071
CT 5072.02
CT 5072.03
CT 5072.04
CT 5073.01
CT 5073.02
CT 5074.01
CT 5074.02
CT 5075
CT 5076
CT 5077.01
CT 5077.02

CT 5077.03
CT 5078.01
CT 5078.03
CT 5078.04
CT 5079.01
CT 5079.03
CT 5079.04
CT 5080.01
CT 5080.02
CT 5083.01
CT 5083.03
CT 5100.02
CT 5101
CT 5102
CT 5103
CT 5104
CT 5105
CT 5117.02
CT 5118
CT 5119.05
CT 5119.06
CT 5119.07

Partial Census Tracts:

CT 5021.01—That portion contained within the City of Campbell.

CT 5026.01—That portion contained within Block 309 and that portion contained within the City of Campbell.

CT 5026.02—That portion contained within the City of Campbell.

CT 5027.01—That portion contained within the City of Campbell.

CT 5027.02—That portion contained within the City of Campbell.

CT 5064.02—That portion not contained in Assembly District 23.

CT 5068.02—That portion contained within the City of Los Gatos.

CT 5068.03—That portion contained within the following blocks: 111, 115, 116, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 329, 330, 331, 332, 333, 334, 335, 336, 337, and 338.

CT 5081.01—That portion contained within the City of Cupertino.

CT 5081.02—That portion not contained in Assembly District 23.

CT 5082.01—That portion contained within the City of Cupertino.

CT 5082.02—That portion not contained in Assembly District 23.

CT 5083.04—That portion contained within the following blocks: 109, 110, 115, 116, 117, 118, 119, 121, 122, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, and 422.

CT 5099.01—That portion not contained in Assembly District 21.

CT 5100.01—That portion not contained in Assembly District 21.

CT 5116.01—That portion contained within the City of Los Altos Hills.

CT 5117.01—That portion not contained in Assembly District 21.

CT 5117.03—That portion not contained in Assembly District 21.

CT 5117.04—That portion not contained in Assembly District 21.

CT 5119.01—That portion contained within Block 224.

CT 5119.03—That portion not contained in Assembly District 25.
CT 5119.04—That portion not contained in Assembly District 25.

Assembly District 23: Assembly District 23 shall consist of the part of Santa Clara County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 5001
CT 5002
CT 5003
CT 5004
CT 5005
CT 5006
CT 5007
CT 5008
CT 5009
CT 5010
CT 5011
CT 5012
CT 5013
CT 5014
CT 5015
CT 5016
CT 5017
CT 5018
CT 5019
CT 5020
CT 5024
CT 5031.01
CT 5035.02
CT 5035.04
CT 5035.05
CT 5036.01
CT 5036.02
CT 5037.02
CT 5037.03
CT 5037.04
CT 5037.05
CT 5040
CT 5049.01
CT 5049.02
CT 5050.01
CT 5051
CT 5052.02
CT 5052.03
CT 5053.01
CT 5053.02
CT 5053.03
CT 5053.04
CT 5053.05

CT 5054.01
CT 5054.02
CT 5054.03
CT 5055
CT 5056
CT 5057
CT 5058
CT 5059
CT 5060
CT 5061.01
CT 5061.02
CT 5061.03
CT 5062.03
CT 5063.01
CT 5063.02
CT 5064.01

Partial Census Tracts:

CT 5021.02—That portion contained within the following blocks: 104, 106, 107, 108, 109, 118, 119, 123, 125, 303, 304, 305, 307, 308, and 310.

CT 5022—That portion contained within the following blocks: 102, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 131, 132, 133, 134, 136, 145, and 146.

CT 5023—That portion contained within the following blocks: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 314, 401, 402, 403, and 404.

CT 5025—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 201, 202, 203, 204, 205, 206, 207, 208, 209, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 501, 502, 503, 504, 505, 506, 507, 508, 602, 603, 604, 605, 606, 608, 609, 612, and 613.

CT 5030.01—That portion contained within the following blocks: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 115, 116, 117, 118, 119, and 120.

CT 5031.03—That portion contained within the following blocks: 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 301, 304, 305, and 911.

CT 5034—That portion contained within the following blocks: 101, 102, 104, 105, 106, 107, 108, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 308, 309, 310, 311, 312, 401, 402, 403, 404, and 405.

CT 5035.03—That portion contained within the following blocks: 101, 102, 104, 105, 106, 108, 109, 110, 111, 112, 115, 116, 117, 201, 203, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 308, 309, 311, 315, 316, and 317.

CT 5039—That portion contained within the following blocks: 405, 406, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 601, 602, 603, 604,

605, 606, 607, and 608.

CT 5041—That portion contained within the following blocks: 207, 208, 301, 302, 303, 304, 305, 306, 401, 402, 404, 405, 406, 407, 503, 504, 505, 506, 507, 508, 509, 510, 511, and 512.

CT 5043.03—That portion contained within the following blocks: 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 302, 303, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 602, 603, 604, 605, 606, 607, 621, 622, 623, 624, 625, 626, 627, 628, and 629.

CT 5046.02—That portion contained within the following blocks: 101 through 115, inclusive, 117, 120, 124, 126, 133, 134, 137, 138, 908, 909, 910, 912, 936, 939, 940, 988, 989; together with that portion of Blocks 911 and 941 in the City of San Jose and Blocks 911, and 934 in the unincorporated land.

CT 5050.02—That portion contained within the following blocks: 112, 121, 122, 123, 125, 126, 215 through 233, inclusive, Block Groups 3 and 7; together with that portion of Blocks 120, 124, 127 and 214 in the City of San Jose and that portion of blocks 120, 124, 127, 214, 321, and 710 in the unincorporated land.

CT 5052.01—That portion contained within the following blocks: Block Groups 1, 2, 3, and 4 within the City of Santa Clara, together with that portion of Block 417 within the unincorporated land.

CT 5064.02—That portion within Blocks: 102, 103, 106, 109, 113, 114, 115, 116, 207, 208, 209, 210, 211, together with that portion of Blocks 101 and 112 within the City of San Jose.

CT 5081.02—That portion contained within the City of Santa Clara and the unincorporated county land.

CT 5082.02—That portion contained within the City of Santa Clara.

CT 5085.06—That portion contained within the City of Santa Clara.

CT 5087.02—That portion contained within the City of Santa Clara.

Assembly District 24: Assembly District 24 shall consist of the part of Santa Clara County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 5028
CT 5029.01
CT 5029.02
CT 5029.03
CT 5029.06
CT 5029.07
CT 5029.08
CT 5030.02
CT 5030.03
CT 5031.02
CT 5031.04
CT 5032.03

CT 5032.04
CT 5032.05
CT 5032.06
CT 5032.07
CT 5032.08
CT 5033.04
CT 5033.05
CT 5033.06
CT 5033.07
CT 5033.08
CT 5033.09
CT 5033.10
CT 5042
CT 5120.02
CT 5120.05
CT 5120.06
CT 5120.07
CT 5120.13
CT 5127

Partial Census Tracts:

CT 5021.01—That portion not contained in Assembly District 22.

CT 5021.02—That portion contained within the following blocks: 102, 110, 112, 113, 114, 115, 116, 120, 126, 202, 203, 204, 205, 206, 207, 208, 209, 210 and 211.

CT 5022—That portion contained within the following blocks: 105, 107, 108, 109, 110, 111, 112, 113, 126, 127, 128, 129, 130, 135, 139, 142, 143, 144, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210 and 311.

CT 5023—That portion contained within the following blocks: 311, 312, 313, 405, 406, 407, 408, 409, 410, 411, 412, 413, and 414.

CT 5025—That portion contained within the following blocks: 610, 611, 701, 702, 703, 704, 705, 706, 707, 708, and 709.

CT 5026.01—That portion contained within the following blocks: 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 201, 202, 203, 204, 205, 206, 207, 210, 301, 302, 303, 304, 308, 311, and 312, and that portion within 306 and 310 not within the City of Campbell.

CT 5026.02—That portion not contained in Assembly District 22.

CT 5027.01—That portion not contained in Assembly District 22.

CT 5027.02—That portion not contained in Assembly District 22.

CT 5029.05—That portion contained within the following blocks: 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 140, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, and 216.

CT 5030.01—That portion contained within the following blocks: 113, 114, 121, 122, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 315, 316, 317, 318, 319, 320, 321, 322, 323, and 324.

CT 5031.03—That portion not contained in Assembly District 23.

CT 5034—That portion contained within the following blocks: 407,

408, 409, 410, 411, 412, 413, 414, 415, 416, and 417.

CT 5035.03—That portion contained within the following blocks: 305, 313, 314, 402, 403, 404, 405, 408, 409, and 410.

CT 5038.01—That portion contained within the following blocks: 307, 308, 309, 310, 406, 411, 412, 413, 414, 415, 418, 420, 421, 422, and 423.

CT 5038.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 301, 302, 303, 304, 305, and 306.

CT 5039—That portion contained within the following blocks: 101, 102, 103, 105, 108, 109, 110, 111, 112, 201, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307, 401, 402, 403, and 404.

CT 5041—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 201, 202, 205, 209, 210, 211, 501, and 502.

CT 5043.08—That portion contained within Block 917.

CT 5068.02—That portion not contained in Assembly District 22.

CT 5068.03—That portion contained within the following blocks: 101, 102, 103, 104, 105, 107, 108, 109, 110, 112, 113, 114, 117, 118, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, and 328.

CT 5119.01—That portion contained within the following blocks: 114, 115, 201, 202, 203, 204, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, and 223.

CT 5120.08—That portion contained within the following blocks: 403, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 701, 702, 703, 704, 705, 706, 707, 708, 719, 720, 721, 723, 724, 725, 726, 727, 728, 729, 730, 731, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, and 815.

CT 5120.09—That portion contained within the following blocks: 131, 130, 129, 128, 127, 126, 125, 124, 123, 122, 145, 146, 147, 164, 160, 165, 163, 162, 161, 142, 144, 204, 205, 206, 207, 158, 156, 155, 208, 157, 139, 141, 143, 140, 138, 148, 113, 114, 115, 116, 121, 137, 136, 152, 151, 135, 149, 150, 153, 154, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 134, 132, and 133.

CT 5120.10—That portion contained within the following blocks: 211, 210, 216, 217, 218, 237, 236, 235, and 234.

CT 5120.11—That portion contained within the following blocks: 333, 350, 351, 342, 341, 340, 339, 338, 270, 355, 354, 368, 367, 369, 366, 365, 364, 363, 913, 912, 911, 903, 914, 323, 322, 305, 306, 307, 308, 309, 345, 915, 916, 940, 917, 918, 919, 920, 921, 922, 923, 924, 361, 360, 359, 362, 352, 353, 356, 357, 358, 343, 349, 347, 348, 346, 344, 310, 334, 371, 336, and 332.

CT 5120.14—That portion contained within the following blocks: 132, 111, 107, 108, 109, 110, 135, 136, 121, 104, 103, 124, 123, 126, 125, 102, 134, 133, 129, 128, 127, 130, and 131.

CT 5120.15—That portion contained within the following blocks: 333, 337, 336, 339, 338, 343, 340, 347, 351, 356, 358, 350, 349, 348, 342, 341, 334, 335, 331, 357, and 332.

CT 5120.16—That portion contained within the following blocks:

501, 403, 404, 402, 406, 407, 408, 405, and 401.

Assembly District 25: Assembly District 25 shall consist of the whole County of San Benito; together with the part of Santa Clara County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 5119.08
CT 5120.12
CT 5121
CT 5122
CT 5123.01
CT 5123.02
CT 5124
CT 5125.01
CT 5125.02
CT 5126

Partial Census Tracts:

CT 5029.05—That portion contained within the following blocks: 115, 116, 117, 118, 119, and 120.

CT 5119.01—That portion contained within the following blocks: 102, 103, 104, 106, 107, 108, 109, 110, 111, 113, 116, 118, 119, 120, and 121.

CT 5119.03—That portion contained within the following blocks: 228, 230, 231, 232, 241, 242, 243, 244, 246, 247, 269.

CT 5119.04—That portion contained within the following blocks: 224, 225, 226, 227, 233, 234, 235, 236, 237, 238, 239, and 240.

CT 5120.08—That portion contained within the following blocks: 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, and 722.

CT 5120.09—That portion contained in Block 112.

CT 5120.10—That portion contained within the following blocks: 212, 213, 214, 215, 221, 231, 232, 233, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266.

CT 5120.11—That portion contained within the following blocks: 324, 325, 326, 327, 328, 329, 330, 331, and 370.

CT 5120.14—That portion contained within the following blocks: 225, 226, 227, 228, 229, 238, 239, 240, 241, 242, 243, 244, 246, 247, 248, 249, 250, 251, and 255.

CT 5120.15—That portion contained within the following blocks: 230, 231, 232, 233, 234, 235, 236, 237, 251, 252, 256, 257, 344, 345, 346, 352, 353, 354, and 355.

CT 5120.16—That portion contained within the following blocks: 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 502, 503, 504, 505, 506, 507, 508, 509, 511, 512, 513, 514, 515, 516, 517, and 520.

together with the part of Monterey County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1
CT 2

CT 3
CT 4
CT 5
CT 6
CT 7
CT 8
CT 9
CT 10
CT 11
CT 12
CT 13
CT 14
CT 15
CT 16
CT 17
CT 18
CT 105.01
CT 105.02
CT 106.01
CT 106.02
CT 108
CT 109
CT 111
CT 112

Partial Census Tracts:

CT 103.01—That portion contained within Block Groups 1 and 2, Blocks 303 and 304, and Enumeration Districts 315, 316, and 317.

CT 103.02— That portion contained in Block Group 2.

together with the part of Merced County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 3
CT 4
CT 20
CT 21
CT 22
CT 23
CT 24

Partial Census Tracts:

CT 2—That portion contained within the following Enumeration Districts: 379, 380, 382, and 383.

CT 5—That portion contained within Enumeration District 377, together with that portion contained within Block Groups 3, 4, and 5; and together with that portion contained with the following blocks: 124, 125, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 110, 111, 112, 113, 114, 118, 119, 120, 121, 122, and 123.

CT 6—That portion contained within Blocks 306, 307, 308, and 309.

CT 9—That portion contained within the part of Enumeration District 422 located west of Bert-Crane Road and Dan McNamara

Road and Sandymush Road and Nickel Road and Turner Island Road.

Assembly District 26: Assembly District 26 shall consist of the part of San Joaquin County not contained within Assembly District 10.

Assembly District 27: Assembly District 27 shall consist of the whole County of Stanislaus; together with the part of Merced County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1
CT 7
CT 8

Partial Census Tracts:

CT 2—That portion contained within Enumeration District 381.

CT 5—All except that portion contained in Assembly District 25.

CT 6—All except that portion contained within Blocks 306, 307, 308, and 309.

CT 9—That portion not contained in Assembly District 25 or 30.

Assembly District 28: Assembly District 28 shall consist of the whole County of Santa Cruz; together with the part of Monterey County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 101
CT 102.01
CT 102.02
CT 104
CT 118
CT 119
CT 120
CT 121
CT 122
CT 123
CT 124.01
CT 124.02
CT 125
CT 125.99
CT 126
CT 127
CT 128
CT 129
CT 130
CT 131
CT 133
CT 134
CT 135
CT 136
CT 137
CT 138
CT 139
CT 140

CT 142
CT 143.01
CT 143.02
Partial Census Tracts:
CT 103.01—That portion contained within Blocks 301 and 302 and Enumeration Districts 318 and 319.
CT 103.02—That portion contained within Block Groups 1 and 9 and Enumeration District 320.
CT 117—That portion located west of State Highway 1.
CT 132—That portion located within the City of Monterey.
CT 141—That portion located west of State Highway 1 as it was aligned on August 30, 1973.

Assembly District 29: Assembly District 29 shall consist of the whole County of San Luis Obispo; together with the part of Santa Barbara County not included in Assembly District 35 or 37; and together with the part of Monterey County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 107
CT 110
CT 113
CT 114.01
CT 114.02
CT 115
CT 116
Partial Census Tracts:
CT 117—That portion located east of State Highway 1.
CT 132—That portion located outside the City of Monterey.
CT 141—That portion located east of State Highway 1, as it was aligned on August 30, 1973.

Assembly District 30: Assembly District 30 shall consist of the whole of Kings County;
together with the part of Madera County not contained in Assembly District 32; and
together with the part of Merced County contained within the following whole and partial census tracts:
Whole Census Tracts:
CTs 10 through 19, inclusive.
Partial Census Tract:
CT 9—That portion contained within the part of Block 210 within the City of Merced, together with that part of Enumeration District 422 located east of Bert-Crane Road and Dan McNamara Road and Sandymush Road and Nickel Road and Turner Island Road.
together with the part of Fresno County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 1
CT 2
CT 3

CT 7
CT 8
CT 9
CT 10
CT 11
CT 18
CT 19
CT 20
CT 21
CT 22
CT 38
CT 39
CT 40
CT 41
CT 42.01
CTs 74 through 83
CT 84.01
CT 84.02
Partial Census Tracts:

CT 4—That portion contained within the following blocks: 401, 402, 403, 404, 405, 406, 407, 408, 415, 416, 418, 419, 420, 421, 436, 437, 438, 439, 441, and 442.

CT 5—That portion contained within the following blocks: 302, 303, 304, 305, 306, 311, 312, 313, 321, 322, 323, 324, 325, 326, 402, 403, 404, 405, 406, 407, 410, and 420.

CT 6—That portion contained within the following blocks: 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 601, 602, 603, 604, 605, 606, 607, 609, 611, 614, 616, 618, 619, and 620.

CT 17—That portion contained within Enumeration District 404; together with the parts of Enumeration Districts 402 and 403 west of Clovis Avenue.

CT 23—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 301, 302, 303, 304, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 327, 328, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, and 421.

CT 24—That portion contained within the following blocks: 412, 413, 414, and 415.

CT 73—That portion contained within Enumeration Districts 463 and 464.

Assembly District 31: Assembly District 31 shall consist of the part of Fresno County not contained in Assembly District 30 or Assembly District 32.

Assembly District 32: Assembly District 32 shall consist of the whole county of Mariposa.
together with the part of Tulare County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 1
CT 2
CT 3
CT 4
CT 5
CT 6
CT 7
CT 8
CT 10.02
CT 11
CT 12
CT 13
CT 14
CT 15
CT 16
CT 17.01
CT 17.02
CT 18
CT 19
CT 20.01
CT 20.02
CT 20.03
CT 20.04
CT 27
CT 33
CT 34
CT 35
CT 36
CT 37
CT 38
CT 39
CT 40
CT 41
Partial Census Tracts:
CT 10.01—That portion contained within Block Groups 1, 2, 3, 4, and that portion of blocks 501 through 521, inclusive, 527, 537, 538, 539, and 540 and that portion of blocks 524, 526, and 533 in the City of Visalia.
CT 20.05—All except blocks 108 and 110, and that portion of block 109 in the unincorporated land.
together with the part of Madera County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 1.01

CT 1.02
Partial Census Tracts:
CT 10—That portion contained within the following Enumeration Districts: 380, 381, 382, 383, and 384.
CT 5.01—That portion contained within the following Enumeration Districts: 358, 359, 360, and 364.
together with the part of Fresno County contained within the following whole and partial census tracts:
CT 43
CT 44.01
CT 44.02
CT 45.03
CT 45.04
CT 45.05
CT 45.06
CT 46
CT 54.04
CT 54.05
CT 54.06
CT 54.07
CT 55.01
CT 64.01
CT 64.02
CT 64.03
CT 72
Partial Census Tracts:
CT 42.02—That portion contained within the following blocks: 117, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 138, 139, 140, 142, 143, 144, 145, 146, 147, 301, 302, 303, 304, 305, 306, 307, 308, and 309.
CT 54.03—That portion contained within the following blocks: 116, 117, 118, 130, 202, 203, 204, 205, 206, 207, 208, and 209.
CT 55.02—That portion contained within the entire tract except that portion of the City of Clovis.
CT 59.02—All except that portion contained within Enumeration District 329.
Assembly District 33: Assembly District 33 shall consist of: That portion of Tulare County not contained in Assembly District 32 together with the following whole and partial census tracts in Kern County:
Whole Census Tracts:
CT 1.01
CT 1.02
CT 5
CT 6
CT 7
CT 8
CT 9.01
CT 9.02

CT 9.03
CT 9.04
CT 9.05
CT 12
CT 13
CT 14
CT 15
CT 16
CT 17
CT 18
CT 19.01
CT 19.02
CT 23.02
CT 28.02
CT 28.03
CT 32.01
CT 32.02
CT 33.01
CT 33.02
CT 34
CT 35
CT 36
CT 37
CT 38
CT 39
CT 40
CT 41
CT 42
CT 43
CT 44
CT 45
CT 46
CT 47
CT 48
CT 49
CT 50
CT 62
CT 63
CT 64

Partial Census Tracts:

CT 28.01—That portion contained within the following blocks: 201 through 221, inclusive, 223, 224 and 301 through 320, inclusive, and 323 and 324.

CT 28.04—That portion contained within the following blocks: 112 through 114, inclusive, and Block Group 2.

CT 23.01—That portion contained within Block Groups 3 and 4.

Assembly District 34: Assembly District 34 shall consist of the whole County of Inyo; together with that portion of Kern County not contained in Assembly District 33, together with the portion of Los

Angeles County contained within the following whole census tracts:

CT 9001
CT 9002
CT 9003
CT 9004
CT 9005
CT 9006.01
CT 9006.02
CT 9006.03
CT 9007.01
CT 9007.02
CT 9008.01
CT 9008.02
CT 9009
CT 9010
CT 9011
CT 9012.01
CT 9100
CT 9101
CT 9102
CT 9103
CT 9104
CT 9105
CT 9106
CT 9107
CT 9108.01
CT 9109
CT 9110

Assembly District 35: Assembly District 35 shall consist of the part of Santa Barbara County contained within the following whole census tracts:

Whole Census Tracts:

CT 1.01
CT 1.02
CT 1.03
CT 2
CT 3
CT 4
CT 5.01
CT 5.02
CT 6
CT 7
CT 8
CT 9
CT 10
CT 11
CT 12.01
CT 12.02
CT 13.01

CT 13.02
CT 14
CT 15
CT 16.01
CT 16.02
CT 17.01
CT 17.02
CT 29.01
CT 29.02
CT 29.03
CT 29.04
CT 29.05
CT 29.06
CT 29.07
CT 29.09
CT 29.10
CT 30.01
CT 30.02
CT 30.04
CT 30.05

together with the part of Ventura County contained within the following whole and and partial census tracts:

Whole Census Tracts:

CT 3
CT 4
CT 5
CT 6
CT 7
CT 8
CT 30
CT 31
CT 32
CT 33
CT 34
CT 35
CT 37
CT 38
CT 39
CT 40
CT 41
CT 48
CT 49
CT 50
CT 51

Partial Census Tracts:

CT 11—That portion contained within Block Groups 6 and 7, together with Blocks 502, 503, and 504, together with Enumeration Districts 105, 106, and 107.

CT 12.04—That portion not contained in Assembly District 36.

CT 12.05—That portion not contained in Assembly District 36.

CT 13—That portion contained within the following blocks: 102, 104, 105, 106, 107, 108, 109, 110, 111, 501, 502, 503, and 504 together with that portion of Block 103 in the unincorporated land.

CT 29—That portion contained within the City of Oxnard east of Patterson Road and its extension.

CT 42—That portion contained within Blocks 102, 110, 111, 112, 114, 210, 301, and 401 within the City of Oxnard.

CT 45—That portion contained within Block Group 1 within the City of Oxnard and the unincorporated land within Block Groups 1 and 2.

CT 47.01—That portion not contained in Assembly District 36.

Assembly District 36: Assembly District 36 shall consist of the part of Ventura County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 12.01
CT 12.02
CT 12.03
CT 14
CT 15.01
CT 15.02
CT 16.01
CT 16.02
CT 17
CT 18
CT 19
CT 20
CT 21.01
CT 21.02
CT 22
CT 23
CT 24
CT 25
CT 26
CT 27
CT 28.01
CT 28.02
CT 36.03
CT 36.04
CT 36.05
CT 36.06
CT 43.01
CT 43.02
CT 43.99
CT 44
CT 46
CT 47.02
CT 47.03

CT 52.01
CT 52.02
CT 53.01
CT 53.02
CT 54.01
CT 54.02
CT 55.01
CT 55.02
CT 56
CT 57
CT 58
CT 59.01
CT 59.02
CT 59.03
CT 60
CT 61
CT 62
CT 63
CT 64
CT 65
CT 66
CT 67
CT 68
CT 69
CT 70
CT 71
CT 72.01
CT 72.02
CT 73
CT 76

Partial Census Tracts:

CT 12.04—That portion contained in the part of Enumeration District 126 located below the Hartman Turnoff.

CT 12.05—That portion contained within the City of San Buenaventura.

CT 13—That portion contained within the following blocks: 101, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 307, 308, 309, 314, 315, 316, 317, 318, 401, 402, 403, 404, 405, 406, 407, 505, 506, 507, 508, 509, 510, 511, 512, and 513 together with that portion of Block 103 in the City of San Buenaventura.

CT 42—That portion contained within the following blocks: 101, 103, 104, 105, 106, 107, 108, 109, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 302, 303, 304, 305, 306, 307, 308, 402, 403, 404, 405, 406, 407, 408, and 409, together with that portion of Blocks 102, 110, 111, 112, 114, 210, 301, and 401 within the City of Oxnard.

CT 45—That portion contained within the following blocks: 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, together with that portion of Blocks 301, 302, and 303 within the City of Oxnard, together with that portion of Blocks 301, 302, and 303

within the unincorporated land.

CT 75.02—That portion contained within the following blocks: 103, 104, 105, 106, 107, 108, 109, 110, 111, 125, 304, 306, together with that portion of Blocks 101, 102, 303, 305, and 401 within the unincorporated land.

CT 85—That portion contained within the following blocks: 123, 126, 127, 128, 129, together with that portion of Blocks 101, 102, 103, 105, 106, 113, 116, 118, 119, 120, 121, 203, 205, 210, 212, 214, and 215 within the unincorporated land together with Enumeration District 2.

CT 29—That portion not contained in Assembly District 35.

CT 47.01—That portion contained within the following blocks: 101, 102, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 401, 402, 403, 404, 405, 406, 407, 408, and 409.

CT 74.01—That portion not contained in Assembly District 37.

CT 74.02—That portion not contained in Assembly District 37.

CT 75.01—That portion not contained in Assembly District 37.

Assembly District 37: Assembly District 37 shall consist of the part of Ventura County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1
CT 2
CT 9
CT 10
CT 75.03
CT 77
CT 78
CT 79
CT 80.01
CT 80.02
CT 80.03
CT 81
CT 82
CT 83.01
CT 83.02
CT 84.01
CT 84.02

Partial Census Tracts:

CT 11—That portion not contained in Assembly District 35.

CT 74.01—That portion contained within the following blocks: 102, 103, 107, 108, 109, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 221, 602, and Enumeration District 5.

CT 74.02—That portion contained within the City of Simi Valley.

CT 75.01—That portion contained within the City of Simi Valley.

CT 75.02—That portion contained within the following blocks: 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 126, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 402, 403, 404, 405, and 406, together with that

portion of Blocks 101, 102, 303, 305, and 401 within the City of Simi Valley.

CT 85—That portion contained within the following blocks: 104, 107, 108, 109, 110, 112, 114, 115, 117, 122, 213, and 216, together with that portion of blocks: 101, 102, 103, 105, 106, 113, 116, 118, 119, 120, 121, 203, 205, 210, 212, 214, and 215 within the City of Simi Valley.

together with the part of Santa Barbara County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 18
CT 19.01
CT 19.03
CT 19.04
CT 27.02
CT 27.03
CT 27.05
CT 27.06
CT 27.07
CT 27.08
CT 28.02
CT 28.05
CT 28.06
CT 28.07

Partial Census Tracts:

CT 26.01—That portion contained within the City of Lompoc.

CT 28.01—That portion contained within the following Enumeration Districts: 412, 413, and 416.

together with the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1131
CT 1132.01
CT 1132.02
CT 1133.02
CT 1343.02
CT 1344.01
CT 8003.01
CT 8003.21
CT 8003.22
CT 9012.02
CT 9108.02
CT 9200.01
CT 9200.03
CT 9200.21
CT 9200.22
CT 9200.23
CT 9200.24
CT 9200.25
CT 9201

CT 9202
CT 9203.03
CT 9203.11
CT 9203.12
CT 9203.13
CT 9203.21
CT 9203.22
CT 9203.23

Partial Census Tracts:

CT 1132.03—That portion not contained in Assembly District 38.

CT 1133.03—All that portion except blocks 217, 218, 231, 232, 233, 234, and 244.

CT 8002—That portion contained within blocks 209, 210, 211, 902, and 989.

Assembly District 38: Assembly District 38 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1011
CT 1012
CT 1013
CT 1014
CT 1021.01
CT 1021.02
CT 1031.01
CT 1031.02
CT 1032.01
CT 1032.02
CT 1033.01
CT 1033.02
CT 1034
CT 1063
CT 1066.02
CT 1066.03
CT 1066.04
CT 1081
CT 1082
CT 1112.01
CT 1112.03
CT 1112.04
CT 1133.01
CT 1134.01
CT 1134.02
CT 1222
CT 1341.02
CT 1342.01
CT 1342.02
CT 1343.01
CT 1343.03

CT 1344.01
CT 1346
CT 1347
CT 1349.01
CT 1351.02
CT 1352.01
CT 1371.01
CT 1371.02
CT 1372.02
CT 1373.01
CT 3001
CT 3002
CT 3101
CT 3102
CT 3103
CT 3115
CT 3116
CT 9302

Partial Census Tracts:

CT 1062—That portion not contained in Assembly District 39.
CT 1064—That portion not contained in Assembly District 39.
CT 1065—That portion not contained in Assembly District 39.
CT 1066.01—That portion not contained in Assembly District 39.
CT 1112.02—That portion not contained in Assembly District 39.
CT 1113.01—That portion not contained in Assembly District 39.
CT 1113.02—That portion not contained in Assembly District 39.
CT 1132.03—That portion contained within the following blocks: 103, 104, 105, 106, 109, 110, 111, 112, 115, and 120.
CT 1133.03—That portion contained within blocks 217, 218, 231, 232, 233, 234, and 244.
CT 1152.01—That portion not contained in Assembly District 39.
CT 1153.01—That portion not contained in Assembly District 39.
CT 1153.02—That portion not contained in Assembly District 39.
CT 1316—That portion not contained in Assembly District 40.
CT 1317.00—That portion not contained in Assembly District 40.
CT 1326.00—That portion not contained in Assembly District 40.
CT 1341.01—That portion not contained in Assembly District 40.
CT 1344.02—That portion not contained in Assembly District 43.
CT 1345.00—That portion not contained in Assembly District 40.
CT 1348.01—That portion not contained in Assembly District 40.
CT 1352.03—That portion not contained in Assembly District 43.
CT 1373.02—That portion not contained in Assembly District 43.
CT 1373.03—That portion not contained in Assembly District 43.
CT 1374.01—That portion not contained in Assembly District 43.
CT 1375.01—That portion not contained in Assembly District 43.
CT 1375.02—That portion not contained in Assembly District 43.
CT 1348.02—That portion not contained in Assembly District 40.
CT 1349.02—That portion not contained in Assembly District 40.
CT 1351.01—That portion not contained in Assembly District 40.

CT 1352.02—That portion not contained in Assembly District 43.
CT 1372.01—That portion not contained in Assembly District 40.
CT 3005—That portion not contained within the City of LaCanada-Flintridge or the City of Glendale.
CT 3104—That portion not contained within Assembly District 45.
CT 3106—All except that portion contained in Assembly District 45.
CT 3107—All except that portion contained in Assembly District 45.
CT 3108—All except that portion contained in Assembly District 45.
CT 3109—All except that portion contained in Assembly District 45.
CT 3114—All except that portion contained in Assembly District 45.
CT 3117—All except that portion contained in Assembly District 45.
CT 3118—All except that portion contained in Assembly District 45.
CT 8002—All except blocks 209, 210, 211, 902, and 989.
CT 9301—That portion contained within Enumeration District 25.

Assembly District 39: Assembly District 39 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 1041.01
CT 1041.02
CT 1042.01
CT 1042.02
CT 1043
CT 1044
CT 1045
CT 1046
CT 1047
CT 1048
CT 1061.01
CT 1061.02
CT 1067
CT 1068
CT 1091
CT 1092
CT 1093
CT 1094
CT 1095
CT 1096.01
CT 1096.02
CT 1097
CT 1098.01
CT 1098.02

CT 1111.01
CT 1111.02
CT 1114.01
CT 1114.02
CT 1151.01
CT 1151.02
CT 1152.02
CT 1154.01
CT 1154.02
CT 1171
CT 1172.01
CT 1172.02
CT 1173.01
CT 1173.02
CT 1173.03
CT 1174.01
CT 1174.02
CT 1174.03
CT 1175
CT 1191
CT 1192
CT 1193
CT 1194
CT 1195
CT 1196
CT 1197
CT 1198
CT 1199
CT 1201.01
CT 1201.02
CT 1211
CT 1212
CT 1213
CT 1214
CT 1216
CT 1217
CT 1218
CT 1219
CT 1221
CT 1223
CT 1224
CT 1231.01
CT 3201
CT 3202
CT 3203

Partial Census Tracts:

CT 1062—That portion contained within the following blocks: 105, 106, 107, 108, 111, 112, 113, 114, 115, 116, 117, 119, 120, 121, 125, 126, 127, 202, 205, 208, 211, 249, 250, 251, and 252.

CT 1064—That portion contained within the following blocks: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 115, 116, 117, 118, 119, 120, 121, 122, 123, 201, 202, 203, 205, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, and 513.

CT 1065—That portion contained within the following blocks: 101, 102, 104, 107, 108, 109, 110, 111, 112, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 307, 308, 309, and 310.

CT 1066.01—That portion contained within the following blocks: 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211, 214, 215, 218, 219, 221, 301, 302, 303, 305, 306, 307, 308, 309, 312, 313, 314, 315, 316, 317, 318, 401, 402, 406, 410, 413, 414, 433, 435, 491, 492, 495, 496, 497, and 498.

CT 1112.02—That portion contained within the following blocks: 102, 105, 106, 107, 108, 116, 117, 118, 119, 120, 121, 201, 202, and 203.

CT 1113.01—That portion contained within the following blocks: 218, 219, 220, and 225.

CT 1113.02—That portion contained within the following blocks: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 214, 217, 219, and 220.

CT 1152.01—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 110, 112, 113, 114, 115, 201, 202, 203, 204, 205, 206, 207, 209, 210, 211, 212, and 213.

CT 1153.01—That portion contained within Blocks 201 and 226.

CT 1153.02—That portion contained within the following blocks: 101, 102, 103, 114, 115, 116, and 117.

Assembly District 40: Assembly District 40 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1176
CT 1202
CT 1203
CT 1204
CT 1215
CT 1231.02
CT 1232
CT 1233.01
CT 1233.02
CT 1234
CT 1235
CT 1236.01
CT 1236.02
CT 1237
CT 1238
CT 1239
CT 1241.01
CT 1241.02
CT 1242.01
CT 1242.02

CT 1243
CT 1244
CT 1245
CT 1246
CT 1247
CT 1248
CT 1271.01
CT 1271.02
CT 1272
CT 1273
CT 1274
CT 1275
CT 1276.01
CT 1276.02
CT 1277
CT 1278.01
CT 1278.02
CT 1279
CT 1281
CT 1282
CT 1283.01
CT 1283.02
CT 1284
CT 1285
CT 1286
CT 1287.01
CT 1287.02
CT 1288
CT 1311
CT 1312
CT 1313
CT 1314
CT 1315
CT 1318
CT 1319
CT 1321
CT 1322
CT 1323
CT 1324
CT 1325
CT 1327
CT 1328
CT 1329
CT 1331.01
CT 1391
CT 1392

Partial Census Tracts:

CT 1249.02—That portion contained within the following blocks: 102, 103, 106, 107, 202, 203, 205, 206, 207, 208, 301, 302, 303, 304, 305,

306, 307, 308, and 309.

CT 1316—That portion contained within the following blocks: 108, 208, 209, 210, 211, 212, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 401, 402, 403, 404, 405, and 406.

CT 1317—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 210, 211, 218, and 219.

CT 1326—That portion contained within the following blocks: 201, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, and 306.

CT 1341.01—That portion contained within Block Group 1 and within the following Blocks: 213, 214, 215, and 218; together with that part of Block 217 located north and west of Hemmingway Street with the western extension.

CT 1345—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 112, 113, 114, 115, 116, 117, 118, 201, 202, 203, 204, 205, 206, 207, 210, and 218.

CT 1348.01—That portion contained within the following blocks: 109, 110, 111, 112, 201, 202, 203, and 204.

CT 1348.02—That portion contained within the following blocks: 106, 107, 108, 109, 110, 201, 202, 203, 204, 205, 302, 303, 304, and 305.

CT 1349.02—That portion contained within the following blocks: 101, 102, 103, 104, 106, 107, 307, 312, 313, 318, 319, 320, 321, 322, 323, and 324; together with that part of Block 110 located west of Oso Avenue, with the southern extension.

CT 1351.01—That portion contained within the following blocks: 306, 307, 310, 311, 312, 316, 317, 318, 319, and 321.

CT 1372.01—That portion of Block 101 located north and east of the intersection of Rolling Road and the westerly extension of Collins Street.

CT 1395—That portion contained within the following blocks: 101, 102, 104, 105, 106, 107, 108, 111, 112, 312, 313, and 314.

CT 1396—That portion contained within the following blocks: 101, 102, 103, 105, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 140, and 141.

CT 1433—That portion contained within Block 511.

CT 1434.01—That portion contained within the following blocks: 101, 102, 104, 105, 106, 108, 109, 110, 111, 112, 113, 201, 202, 203, 206, 207, 208, 209, 210, 211, 212, 213, and 214.

CT 1435—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 111, 112, 214, 301, 302, 303, 309, 312, and 313.

Assembly District 41: Assembly District 41 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1812
CT 1813
CT 1814
CT 1861
CT 3003

CT 3004
CT 3006
CT 3007.01
CT 3007.02
CT 3008
CT 3009
CT 3010
CT 3011
CT 3012.01
CT 3012.02
CT 3013
CT 3014
CT 3015
CT 3016
CT 3017
CT 3018
CT 3019
CT 3020
CT 3021.01
CT 3021.02
CT 3022
CT 3023
CT 3024
CT 3025.01
CT 3025.02
CT 4600
CT 4601
CT 4602
CT 4603
CT 4605.01
CT 4605.02
CT 4606
CT 4607
CT 4610
CT 4611
CT 4612
CT 4613
CT 4624
CT 4625
CT 4626
CT 4627
CT 4628
CT 4629
CT 4630
CT 4631.02
CT 4632
CT 4634
CT 4635
CT 4636

CT 4637
CT 4640
Partial Census Tracts:
CT 1811—That portion not contained in Assembly District 55.
CT 1815—That portion not contained in Assembly District 55.
CT 1816—That portion not contained in Assembly District 55.
CT 1862—That portion not contained in Assembly District 55.
CT 1863—That portion not contained in Assembly District 55.
CT 1864—That portion not contained in Assembly District 55.
CT 3005—That portion contained within the City of Glendale and the City of La Canada-Flintridge.
CT 4614—That portion not contained in Assembly District 55.
CT 4617—That portion not contained in Assembly District 55.
CT 4619—That portion not contained in Assembly District 55.
CT 4622—That portion not contained in Assembly District 55.
CT 4623—That portion not contained in Assembly District 55.
CT 4639—That portion not contained in Assembly District 55.
CT 9301—That portion not contained in Assembly District 38.

Assembly District 42: Assembly District 42 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 4006
CT 4039.02
CT 4040
CT 4041
CT 4042
CT 4043
CT 4044
CT 4045
CT 4046
CT 4300.01
CT 4300.02
CT 4301.01
CT 4301.02
CT 4302
CT 4303
CT 4304
CT 4305.01
CT 4305.02
CT 4306
CT 4307.01
CT 4307.21
CT 4307.22
CT 4308.01
CT 4308.02
CT 4308.03
CT 4309
CT 4310

CT 4311
CT 4312
CT 4313
CT 4314
CT 4316
CT 4317
CT 4318
CT 4319
CT 4320
CT 4631.01
CT 4633
CT 4641
CT 4642
CT 4800.01
CT 4800.02
CT 4801.01
CT 4801.02
CT 4802
CT 4805
CT 4806
CT 4807.01
CT 4807.02
CT 4811
CT 4812.01
CT 4812.02
CT 4814
CT 4823.01

Partial Census Tracts:

CT 4315—That portion not contained within Assembly District 60.

CT 4321.01—That portion not contained within Assembly District 60.

CT 4321.02—That portion not contained within Assembly District 60.

CT 4323—That portion contained within the City of Temple City.

CT 4008—That portion not contained within the City of Glendora.

CT 4009—That portion not contained within the City of Glendora.

CT 4039.01—That portion not contained wtihin the City of Glendora.

CT 4058—That portion not contained within the City of Covina.

CT 4059—That portion not contained within the City of Covina and its entrapped unincorporated territory.

Assembly District 43: Assembly District 43 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1249.01
CT 1251
CT 1252
CT 1289

CT 1331.02
CT 1374.02
CT 1375.03
CT 1375.04
CT 1376
CT 1393
CT 1394
CT 1397.01
CT 1397.02
CT 1397.03
CT 1398.01
CT 1398.02
CT 1411
CT 1412
CT 1413.01
CT 1413.02
CT 1414
CT 1415
CT 1416
CT 1417
CT 1434.02
CT 1436.02
CT 1438.02
CT 1439.01
CT 1439.02
CT 2164
CT 2611.01
CT 2611.02
CT 2612
CT 2621
CT 2622
CT 2623.01
CT 2623.02
CT 2623.03
CT 2624
CT 2641.01
CT 2641.02
CT 2642
CT 2643.01
CT 2651
CT 2652
CT 2653.01
CT 2653.02
CT 2654.01
CT 2654.02
CT 2675.01
CT 2675.02
CT 7005
CT 7006

CT 7007
CT 7008
CT 7009.01
CT 7009.02
CT 7010
CT 7011
CT 8001

Partial Census Tracts:

CT 1249.02—That portion contained within the following blocks: 101, 104, 105, 108, 201, and 204.

CT 1254—That portion contained within the following blocks: 106, 107, 108, 109, 110, 206, 207, 208, 209, 210, 211, 302, 303, 304, 305, 306, 308, 309, 310, 313, 401, 402, 403, 405, 408, 409, 411, 412, and 413.

CT 1344.02—That portion contained within the following blocks: 302, 303, 304, 305, 306, 307, 313, 314, 315, 316, 317, and 319.

CT 1352.02—That portion contained in block groups 1 and 2 and blocks 301, 302, 303, 304, 305, 312, 313, 314, 315, 316, 317, 318, 319, 322, and 323.

CT 1352.03—That portion contained in block groups 1, 2 and 3 and blocks 401, 402, 404, 405, 406, 407, 411, 412, 413, and 420.

CT 1373.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 113, 114, 115, 116, 117, 118, 119, 207, 208, 209, 210, 211, 212, 213, 214, 215, 223, 224, 226, and 227.

CT 1373.03—That portion contained within the following blocks: 108, 109, 110, 111, 112, 124, 125, 126, 131, 133, and 139.

CT 1374.01—That portion contained within the following blocks: 213, 214, 215, 301, 302, 304, 305, 306, 307, 308, and 310.

CT 1375.01—That portion contained within the following blocks: 201, 202, 203, and 204.

CT 1375.02—That portion contained within the following blocks: 119, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 221, 222, 223, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, and 323.

CT 1395—That portion not contained in Assembly District 40.

CT 1396—That portion not contained in Assembly District 40.

CT 1433—That portion not contained in Assembly District 40.

CT 1434.01—That portion not contained in Assembly District 40.

CT 1435—That portion not contained in Assembly District 40.

CT 2628—That portion not contained in Assembly District 44.

CT 2673—That portion not contained in Assembly District 44.

CT 2674.01—That portion not contained in Assembly District 44.

CT 2674.02—That portion contained within the following blocks: 103, 104, 105, 106, 107, 108, 109, 110, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, and 211.

CT 2676—That portion not contained in Assembly District 44.

CT 7004—That portion not contained in Assembly District 45.

Assembly District 44: Assembly District 44 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 2625
CT 2626
CT 2627.01
CT 2627.02
CT 2655
CT 2656
CT 2657
CT 2671
CT 2672
CT 2677
CT 2678
CT 2679
CT 2692
CT 2695
CT 2696
CT 2697
CT 2699.01
CT 2699.02
CT 2702
CT 2703
CT 2711.01
CT 2711.02
CT 2712
CT 2713
CT 2714
CT 2715
CT 2716
CT 2717.01
CT 2717.02
CT 2718
CT 2719
CT 2721
CT 2722
CT 2731
CT 2732
CT 2733
CT 2734
CT 2735
CT 2736
CT 2737
CT 2738
CT 7012.01
CT 7012.02
CT 7013.01
CT 7013.02
CT 7014
CT 7015.01
CT 7015.02

CT 7016.01
CT 7016.02
CT 7017.01
CT 7017.02
CT 7018.01
CT 7018.02
CT 7019
CT 7020
CT 7021
CT 7022.01
CT 7022.02
CT 7023
CT 8004
CT 8005

Partial Census Tracts:

CT 2166—That portion not contained within Assembly District 45.

CT 2167—That portion contained within the following blocks: 201, 202, 203, 204, 205, 206, 301, 302, 303, 304, 305, 306, 307, and 308.

CT 2169—That portion contained within Block Groups 1, 2, 3, 4, and 5.

CT 2628—That portion contained within the following blocks: 104, 115, 201, 202, 203, 204, 205, 206, 207, 209, 210, 211, 212, 213, 302, 304, 305, 309, 310, 311, 312, 314, 325, 326, 327, and 328.

CT 2643.02—That portion not contained in Assembly District 45.

CT 2673—That portion contained within the following blocks: 103, 104, 105, 118, 119, 203, 204, 205, 206, 207, 210, 211, 212, 213, 301, 302, 303, and 304.

CT 2674.01—That portion contained within Block 107.

CT 2674.02—That portion contained within Blocks 101 and 102.

CT 2676—That portion contained within the following blocks: 101, 102, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 312, and 313.

CT 2691—That portion not contained within Assembly District 45.

CT 2693—That portion contained within Block Groups 3, 4, and 5, together with blocks 203, 204, 205, 209, 210, and 215.

CT 2723.01—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 201, 202, 203, 204, 205, and 206.

CT 2723.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, and 107

Assembly District 45: Assembly District 45 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1253
CT 1255
CT 1256
CT 1431
CT 1432

CT 1436.01
CT 1437
CT 1438.01
CT 1891
CT 1892
CT 1893
CT 1894
CT 1895
CT 1896
CT 1897.01
CT 1897.02
CT 1898
CT 1899
CT 1901
CT 1902
CT 1903.01
CT 1903.02
CT 1904
CT 1906
CT 1907
CT 1908
CT 1909
CT 1918
CT 1919.01
CT 1919.02
CT 1921
CT 1922
CT 1923
CT 1924
CT 1941
CT 1942
CT 1943
CT 1944
CT 1945
CT 2115
CT 2117
CT 2141
CT 2142
CT 2143
CT 2144
CT 2145
CT 2146
CT 2147
CT 2148
CT 2149
CT 2151
CT 2152
CT 2161
CT 2163

CT 2165
CT 2168
CT 3105
CT 3110
CT 3111
CT 3112
CT 3113
CT 3200
CT 7001
CT 7002
CT 7003

Partial Census Tracts:

CT 1254—That portion contained within the following blocks: 101, 103, 104, 105, 111, 112, 113, 114, 115, 203, 204, 205, 406, and 407.

CT 1882.01—That portion contained within the following blocks: 922, 944, and 945, and that portion of block 924 east of a line starting at a point on Vermont Canyon Road, 500 feet north of the Greek Theatre, then south to the northeast corner of the Greek Theatre, and then in a straight line to the westernmost point on Commonwealth Canyon Drive.

CT 1882.02—That portion contained within the following blocks: 308, 309, 401, 402, 403, 404, 405, 504, 506, 507, 508, 509, 510, and 511.

CT 1905—That portion not contained in Assembly District 46.

CT 1952—That portion contained within the following blocks: 102, 103, 207, 208, 301, 302, 303, 304, 305, 306, 307, 308, 309, 401, 402, 403, 404, 405, 406, 407, and 408.

CT 2162—That portion not contained in Assembly District 49.

CT 2166—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 501, 502, 503, 504, 505, 506, 507, and 508.

CT 2167—That portion not contained within Assembly District 44.

CT 2169—That portion not contained within Assembly District 44.

CT 2643.02—That portion contained within Block 310.

CT 2691—That portion contained within the following blocks: 101, 102, 109, 111, 112, 201, and 202.

CT 3104—That portion contained within the following blocks: 303, 304, 305, 306, 307, 308, 309, 312, 313, 316, 317, 318, 401, 402, 403, 404, 405, and 406.

CT 3106—That portion contained within the following blocks: 502, 505, 506, 508, 510, 511, 512, 602, 603, 608, 609, 610, 611, 612, 613, 614, 615, 616, and 617.

CT 3107—That portion contained within the following blocks: 105, 210, 213, 214, 301, 302, 303, 304, 305, 306, 311, 312, 313, 314, 401, 402, 403, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 514, 518, 521, 522, 601, 611, 613, and 621.

CT 3108—That portion contained within the following blocks: 304, 309, 310, 401, 404, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506, and 507.

CT 3109—That portion contained within the following blocks: 101,

103, 108, 109, 110, 111, 112, 113, 114, 115, 201, 202, 203, 205, 206, 207, 208, 209, 210, 211, 212, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 403, 404, 405, 406, 407, 408, 409, 501, 502, 503, 504, 505, 506, 507, 601, 602, 604, 605, 607, 608, 609, 610, 612, 701, and 702.

CT 3114—That portion contained within the following blocks: 207, 301, 304, 305, 306, 307, and 308.

CT 3117—That portion contained within the following blocks: 101, 102, 103, 104, 105, and 106.

CT 3118—That portion contained within the following blocks: 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 403, 404, 405, 406, 407, 408, 410, and 411.

CT 7004—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 508, 512, 513, and 514.

Assembly District 46: Assembly District 46 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1872
CT 1881
CT 1911
CT 1912.01
CT 1912.02
CT 1913
CT 1914
CT 1915
CT 1916.01
CT 1916.02
CT 1917
CT 1925
CT 1926
CT 1927
CT 1951
CT 1953
CT 1954
CT 1955
CT 1956
CT 1957
CT 1958
CT 1959
CT 2083
CT 2084
CT 2085
CT 2086
CT 2087
CT 2088
CT 2089
CT 2091
CT 2092
CT 2093

CT 2094
CT 2095
CT 2098
CT 2111
CT 2112
CT 2113
CT 2114
CT 2118
CT 2119
CT 2121
CT 2122
CT 2123
CT 2124
CT 2125
CT 2126
CT 2127
CT 2128
CT 2129
CT 2131
CT 2132
CT 2133

Partial Census Tracts:

CT 1873—That portion contained within the following blocks: 216, 225, 226, 229, 230, 231, 232, 233, 234, 302, 303, 306, 308, 309, 310, 311, and 312.

CT 1882.01—That portion not contained within Assembly District 45.

CT 1882.02—That portion contained within the following blocks: 101, 102, 103, 105, 106, 107, 109, 110, 111, 112, 114, 115, 201, 202, 204, 205, 206, 207, 209, 301, 302, 303, 304, 305, 306, 307, 406, 407, 502, and 512.

CT 1905—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 201, and 202.

CT 1952—That portion contained within the following blocks: 101, 104, 105, 106, 107, 108, 109, 201, 202, 204, 205, 206, and 209.

CT 1974—That portion contained within the following blocks: 101, 103, 104, 105, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 310, 311, 401, 402, 403, 405, 406, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 422, 423, 424, 425, 427, 428, 429, 432, and 433.

CT 2074—That portion contained within blocks 102, 107, and 108.

CT 2075—That portion contained within blocks 206 and 207.

CT 2076—That portion contained within the following blocks: 202, 207, 213, and 218.

CT 2077—That portion contained within the following blocks: 104, 105, 106, 205, 206, 207, and 208.

CT 2082—That portion contained within the following blocks: 103, 104, 105, 106, 107, and 108.

CT 2096—That portion contained within the following blocks: 205, 206, 209, 210, 211, 216, 217, 301, 302, 303, 304, 305, 306, 307, and 308.

CT 2097—That portion contained within the following blocks: 201, 203, 204, 205, 206, 207, 208, 210, 212, 213, 214, and 215.

Assembly District 47: Assembly District 47 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 2214.02
CT 2215.01
CT 2215.02
CT 2216.01
CT 2216.02
CT 2217.02
CT 2218
CT 2219
CT 2221
CT 2222
CT 2223
CT 2224
CT 2225
CT 2226
CT 2227
CT 2246
CT 2247
CT 2264
CT 2265
CT 2266
CT 2267
CT 2281
CT 2282
CT 2283
CT 2284
CT 2285
CT 2286
CT 2287
CT 2288
CT 2289
CT 2291
CT 2292
CT 2293
CT 2294
CT 2311
CT 2312
CT 2313
CT 2314
CT 2315
CT 2316
CT 2317
CT 2318
CT 2319

CT 2321
CT 2322
CT 2323
CT 2324
CT 2328
CT 2391
CT 2392
CT 2393
CT 2394
CT 5325
CT 5326.01
CT 5326.02
CT 5327
CT 5328
CT 5331.01
CT 5331.02
CT 5332
CT 5335
CT 5336
CT 5338.01
CT 5338.02
CT 5343
CT 5344.01
CT 5344.02
CT 5345

Partial Census Tracts:

CT 2245—That portion contained within the following blocks: 103, 104, 105, 106, 107, 108, 109, 110, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 130, 131, 132, 133, 134, 201, 202, 203, 209, 210, 211, 212, 213, 214, 222, 223, and 225.

CT 5323.01—That portion contained within the following blocks: 320, 325, 326, 603, 604, 729, 730, 733, 734, together with that portion of Blocks 605 and 727 in the City of Bell.

CT 5324—That portion contained within the City of Huntington Park.

CT 5329—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 201, 202, 306, 401, 402, 403, 404, 405, and 406.

CT 5330—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 109, 110, 111, 112, 113, 201, 202, 203, 309, 312, 313, 504, 506, 508, and 509.

Assembly District 48: Assembly District 48 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 2377
CT 2378
CT 2382
CT 2383
CT 2395

CT 2396
CT 2397
CT 2398
CT 2399
CT 2401
CT 2402
CT 2403
CT 2404
CT 2405
CT 2406
CT 2407
CT 2408
CT 2409
CT 2411
CT 2412
CT 2415
CT 2416
CT 2421
CT 2422
CT 2423
CT 2424
CT 2425
CT 2426
CT 2427
CT 2428
CT 2429
CT 2431
CT 5347
CT 5348
CT 5349
CT 5350
CT 5351.01
CT 5351.02
CT 5352
CT 5353
CT 5354
CT 5355
CT 5356.01
CT 5356.02
CT 5357
CT 5358.01
CT 5358.02
CT 5359
CT 5360
CT 5361
CT 5362
CT 5400
CT 5401.01
CT 5401.02

CT 5402
CT 5403
CT 5404
CT 5405
CT 5406
CT 5407
CT 5417

Partial Census Tracts:

CT 2414—That portion contained within the following blocks: 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 208, 209, 301, 302, 303, 304, 310, 311, 312, 313, 314, 315, 401, 402, 403, 407, 408, 409, 421, 505, 506, 507, 508, 509, and 510.

CT 5329—That portion contained within the following blocks: 203, 204, 205, 206, 301, 302, 303, 304, and 305.

CT 5330—That portion contained within the following blocks: 204, 205, 206, 207, 208, 209, 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 314, 401, 402, 403, 404, 405, 406, 407, 501, 502, and 503.

CT 5408—That portion contained within the following blocks: 101, 102, 103, 104, 106, 206, 208, 210, 301, 302, 303, 304, 305, 306, 308, 309, 402, 403, 405, 406, 407, 408, 409, 410, 411, 501, 502, 503, 505, and 506.

CT 5412—That portion contained within the following blocks: 701, 702, 703, 704, 705, 706, 707, 708, and 710.

CT 5414—That portion contained within Blocks 101 and 103.

CT 5418—That portion contained within the City of Lynwood.

Assembly District 49: Assembly District 49 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 2116
CT 2153
CT 2171
CT 2172
CT 2181
CT 2182
CT 2183
CT 2184
CT 2185
CT 2186
CT 2187
CT 2188
CT 2189
CT 2191
CT 2192
CT 2193
CT 2194
CT 2195
CT 2196
CT 2197
CT 2198

CT 2199
CT 2201
CT 2202
CT 2212
CT 2213
CT 2214.01
CT 2341
CT 2342
CT 2343
CT 2344
CT 2345
CT 2346
CT 2347
CT 2348
CT 2349
CT 2351
CT 2361
CT 2362.01
CT 2362.02
CT 2363
CT 2364
CT 2694
CT 2698
CT 2701
CT 2739
CT 2741
CT 2742
CT 2751.01
CT 2751.02
CT 2752
CT 2753.01
CT 2753.02
CT 2754
CT 2755
CT 2756
CT 2765
CT 2766.01
CT 2766.02
CT 2781
CT 7024
CT 7025
CT 7026
CT 7027
CT 7028.01
CT 7028.02
CT 7028.03
CT 7029
CT 7029.99
CT 7030.01

CT 7030.02
CT 7031
CT 7032

Partial Census Tracts:

CT 2162—That portion contained within the following blocks: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 505, 506, 507, and 508.

CT 2211—That portion contained within the following blocks: 304, 305, and 406.

CT 2212—That portion contained within the following blocks: 202, 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 306, 307, 401, 402, and 403.

CT 2693—That portion contained within Block Group 1 and blocks 201, 202, 206, 207, 208, 211, 212, 213, and 214.

CT 2723.01—That portion contained within the following blocks: 302, 305, and 307.

CT 2723.02—That portion contained within the following blocks: 108, 109, and 110.

CT 2764—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205, 206, 207, 208, 301, 302, 305, 306, 401, 402, 403, 404, 405, 406, 407, 408, 501, 502, 503, 504, 505, 506, and 507.

CT 2766.03—That portion contained within the following blocks: 908, 909, 915, 916, 917, 918, and 919.

CT 2767—That portion contained within the following blocks: 304, 306, 314, 401, 402, and 403.

Assembly District 50: Assembly District 50 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 2325
CT 2326
CT 2327
CT 2352.01
CT 2352.02
CT 2371
CT 2372
CT 2373
CT 2374
CT 2375
CT 2376
CT 2379
CT 2381
CT 2384
CT 2385
CT 2386
CT 2413
CT 2761
CT 2762

CT 2763
CT 2768
CT 2769
CT 2771
CT 2772
CT 2773
CT 2774
CT 2911
CT 2912
CT 5409.01
CT 5409.02
CT 5410.01
CT 6001
CT 6002.01
CT 6002.02
CT 6003.01
CT 6003.02
CT 6004
CT 6005.01
CT 6005.02
CT 6006
CT 6007.01
CT 6007 02
CT 6008.01
CT 6008.02
CT 6009.01
CT 6009.02
CT 6010
CT 6011
CT 6012.01
CT 6012.02
CT 6013.01
CT 6013.02
CT 6013.03
CT 6014.01
CT 6014.02
CT 6015
CT 6018
CT 6019
CT 6028
CT 6200
CT 6200.99
CT 6201
CT 6202

Partial Census Tracts:

CT 2414—That portion contained within the following blocks: 201, 202, 203, 204, 205, 206, 207, 410, 411, 412, 413, 414, 501, and 504.

CT 2764—That portion contained within the following blocks: 303, 304, 307, 308, and 309

CT 2766.03—That portion contained within the following blocks: 101, 102, 104, and 901.

CT 2767—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 201, 202, 204, 205, 206, 207, 208, 210, 301, 302, 308, and 309.

CT 2913—That portion contained within the following blocks: 125, 126, 127, and 128.

CT 6016—That portion not contained in Assembly District 53.

CT 6017—That portion not contained in Assembly District 53.

CT 6020.01—That portion not contained in Assembly District 53.

CT 6022—That portion not contained in Assembly District 53.

CT 6023.01—That portion not contained in the City of Hawthorne.

CT 6027—That portion not contained in Assembly District 53.

Assembly District 51: Assembly District 51 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 2974
CT 6203.01
CT 6203.02
CT 6203.03
CT 6204
CT 6208
CT 6209.01
CT 6209.02
CT 6210.01
CT 6210.02
CT 6211
CT 6212
CT 6213.01
CT 6213.02
CT 6214
CT 6500.01
CT 6500.02
CT 6501.01
CT 6501.02
CT 6502
CT 6503
CT 6504
CT 6505.01
CT 6505.02
CT 6506.01
CT 6506.02
CT 6506.03
CT 6507.01
CT 6507.02
CT 6508
CT 6509.01
CT 6509.02

CT 6510.01
CT 6510.02
CT 6511.01
CT 6511.02
CT 6512.01
CT 6512.21
CT 6512.22
CT 6513.01
CT 6513.02
CT 6514
CT 6700.01
CT 6700.02
CT 6700.03
CT 6701
CT 6702.01
CT 6702.02
CT 6703.01
CT 6703.02
CT 6704.01
CT 6704.02
CT 6705
CT 6706
CT 6707.01
CT 6707.02

Partial Census Tracts:

CT 2967—That portion contained within the following blocks: 111, 204, and 205.

CT 2968—That portion contained within Blocks 210, 304, and 305.

CT 2973—That portion contained within Blocks 307 and 308.

CT 6207.02—That portion contained within the following blocks: 209, 210, 211, 213, 214, 215, 216, 217, 219, 301, 302, 304, 305, 311, 312, 313, 314, 315, 316, 318, 402, 403, 404, 405, 406, and 414.

Assembly District 52: Assembly District 52 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 4033.12
CT 4033.13
CT 4033.14
CT 4033.15
CT 4034
CT 4080.02
CT 4081.01
CT 4081.02
CT 4081.31
CT 4081.32
CT 4084.01
CT 4085 01
CT 4085.02

CT 4085.03
CT 4086.01
CT 4086.21
CT 4086.22
CT 4086.23
CT 4086.24
CT 4086.25
CT 4087.01
CT 4087.02
CT 5001
CT 5002.01
CT 5002.02
CT 5015.01
CT 5016
CT 5017
CT 5019
CT 5033.01
CT 5033.02
CT 5034.01
CT 5034.02
CT 5035.01
CT 5035.02
CT 5036.01
CT 5036.02
CT 5037.01
CT 5037.02
CT 5037.03
CT 5038.01
CT 5038.02
CT 5039.01
CT 5039.02
CT 5040.01
CT 5040.02

Partial Census Tracts:

CT 4033.02—That portion contained within the following blocks: 102, 103, 104, 106, 108, 109, 116, 117, 118, 119, 903, 912, 913, 914, 915, 916, 917, 922, 926, 928, 929, and 930.

CT 4033.11—That portion contained within the following blocks: 102, 103, 105, 106, 107, 108, 120, 125, 920, 921, 922, 923, 924, and 937 and that portion of Blocks 919, 930, and 936 in the unincorporated land.

CT 4079—That portion contained within the following blocks: 120, 121, 122, 123, 125, 127, 128, 130, and 132.

CT 4080.01—That portion contained within the following blocks: 107, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 202, 203, and 204.

CT 4082.01—That portion not contained in Assembly District 60.

CT 4082.02—That portion contained within Block 338.

CT 4084.02—That portion contained within the following blocks: 103, 104, 105, 106, 107, 108, 109, 110, 113, 131, 201, 203, 204, 205, 206,

207, 208, 209, 210, 211, 217, 218, 219, 901, 902, 903, 913, 915, 928, and 930.

CT 5003—That portion contained within Block 116.

CT 5012—That portion contained within the following blocks: 101, 102, 103, and 108.

CT 5013—That portion contained within Block 101.

CT 5015.02—That portion contained within the following blocks: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 301, 302, 303, 304, 305, 306, 307, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 701, 702, 703, 704, 705, 706, 707, 708, 709, and 710.

CT 5018—That portion contained within the following blocks: 101, 102, 103, 105, 106, 107, 109, 110, 113, 117, 121, 201, 202, 203, 204, 205, 206, 207, 208, and 610.

CT 5020.01—That portion contained within the following blocks: 101, 102, 104, 105, 106, 201, 202, 203, 204, 205, 206, 207, 301, 302, and 303.

CT 5020.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 407, 408, and 409.

CT 5031.01—That portion contained within the following blocks: 201, 202, 203, 204, 205, 208, 209, 210, 211, 212, 213, 214, 216, 217, 301, 302, 303, 304, 305, 306, 307, 308, 309, and 310.

CT 5032.01—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 114, 115, 207, 208, 209, 304, 305, 306, 307, 308, and 314.

CT 5032.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 301, 302, 303, 304, 305, and 306.

CT 5041.01—That portion not in Assembly District 63.

Assembly District 53: Assembly District 53 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 2921
CT 2931
CT 2932.01
CT 2932.02
CT 2942
CT 5410.02
CT 5433.03
CT 5433.22
CT 5434
CT 5435.01
CT 5435.02
CT 5435.03
CT 5436.01
CT 5436.02
CT 5436.04
CT 5437.01
CT 5437.02
CT 5437.03

CT 5438.01
CT 5438.02
CT 5439.01
CT 5439.02
CT 6020.02
CT 6021.01
CT 6021.02
CT 6023.02
CT 6024.01
CT 6024.02
CT 6025.01
CT 6025.02
CT 6025.03
CT 6026
CT 6029
CT 6030.01
CT 6030.02
CT 6031
CT 6032
CT 6033
CT 6034
CT 6035
CT 6036
CT 6037.01
CT 6037.02
CT 6038
CT 6039
CT 6040
CT 6041
CT 6205.01
CT 6205.02
CT 6206.01
CT 6206.02
CT 6207.01

Partial Census Tracts:

CT 2913—That portion contained within the following blocks: 107, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 201, 202, 203, 206, 212, 213, 214, 217, 218, 219, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, and 312.

CT 2933—That portion contained within the following blocks: 103, 104, 115, 116, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, and 130.

CT 2941—That portion contained within the following blocks: Block Groups 1, 2, and 3, together with Blocks 406, 407, 410, 411, 412, 413, 501, 507, 508, 509, 510, 512, 513, 518, and 519.

CT 2943—That portion contained within Block Groups 1 and 2.

CT 5431—That portion not contained in the City of Compton.

CT 5432—That portion contained within the City of Carson.

CT 5433.01—That portion contained within the City of Carson.

CT 5433.21—That portion contained within the City of Carson.

CT 5440—That portion not contained in Assembly District 57.
CT 6016—That portion contained within the City of Hawthorne.
CT 6017—That portion contained within the City of Hawthorne.
CT 6020.01—That portion contained within the City of Hawthorne.
CT 6022—That portion contained within the City of Hawthorne.
CT 6023.01—That portion contained within the City of Hawthorne.
CT 6027—That portion contained in the City of Hawthorne.
CT 6207.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 201, 202, 203, 204, 205, 206, 207, 208, 306, 307, 308, 309, 310, 407, 408, 409, 412, 413, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, and 516.

Assembly District 54: Assembly District 54 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 5411
CT 5413
CT 5415
CT 5416.01
CT 5416.02
CT 5420
CT 5421.01
CT 5421.02
CT 5422
CT 5424.01
CT 5424.02
CT 5425
CT 5426
CT 5427
CT 5428
CT 5429
CT 5430
CT 5531
CT 5532
CT 5533
CT 5535
CT 5536
CT 5537
CT 5538
CT 5539
CT 5540
CT 5541
CT 5542
CT 5543
CT 5544.01
CT 5544.02

CT 5550
CT 5700.01
CT 5700.02
CT 5700.03
CT 5707.01
CT 5707.02
CT 5708
CT 5709.01
CT 5709.02
CT 5710
CT 5711.01
CT 5711.02
CT 5712
CT 5713
CT 5714
CT 5736
CT 5737
CT 5738
CT 5739.02

Partial Census Tracts:

CT 5408—That portion contained within the following blocks: 105, 201, 204, 205, 209, and 211.

CT 5412—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 201, 202, 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 306, 307, 401, 402, 403, 404, 405, 406, 407, 408, 409, 501, 503, 504, 505, 506, 507, 601, 602, 603, 604, 605, 606, 607, 608, and 709.

CT 5414—That portion contained within the following blocks: 105, 201, 202, 203, 204, 205, 206, 301, 302, 303, 304, 305, 306, 307, 401, 403, 404, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, and 511.

CT 5418—That portion not contained in Assembly District 48.

CT 5431—That portion not contained in Assembly District 53.

CT 5432—That portion not contained in Assembly District 53.

CT 5433.01—That portion not contained in the Assembly District 53.

CT 5433.21—That portion not contained in Assembly District 53.

CT 5706—That portion contained in the City of Lakewood.

CT 5552.02—That portion not contained within Assembly District 63.

CT 5715.01—That portion contained within the following blocks: 101, 115, 117, and 118.

CT 5739.01—That portion contained within the following blocks: 901, 902, 920, and 921.

Assembly District 55: Assembly District 55 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1831.01

CT 1831.02
CT 1832
CT 1833
CT 1834
CT 1835
CT 1836
CT 1837
CT 1838
CT 1851
CT 1852.01
CT 1852.02
CT 1853
CT 1871
CT 1883
CT 1971
CT 1972
CT 1973
CT 1975
CT 1991
CT 1992
CT 1993
CT 1994
CT 1995
CT 1996
CT 1997
CT 1998
CT 1999
CT 2011
CT 2012
CT 2013
CT 2014.01
CT 2014.02
CT 2015.01
CT 2015.02
CT 2016
CT 2017
CT 2031
CT 2032
CT 2033
CT 2036
CT 2037
CT 2038
CT 4604
CT 4608
CT 4609
CT 4615
CT 4616
CT 4620
CT 4621

CT 4638
CT 5307
CT 5308
CT 5309
Partial Census Tracts:
CT 1811—That portion contained within the following blocks: 107, 108, 109, 110, 112, 113, 114, 118, and 131.
CT 1815—That portion contained within the following blocks: 206, 209, 210, 211, 212, 213, 301, 302, 303, 304, 305, 311, 318, and 319.
CT 1816—That portion contained within the following blocks: 101, 102, 104, 105, 106, 201, 203, 204, 205, 206, 207, 302, 303, 304, 305, 307, 401, 402, 403, and 404.
CT 1862—That portion contained within the following blocks: 104, 105, 106, 107, 108, 109, 110, 201, 202, 203, 204, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 404, 405, 406, 414, 415, 501, 502, 503, and 504.
CT 1863—That portion contained within the following blocks: 118, 120, 121, 201, 202, 204, 205, 207, 208, 210, 211, 219, 305, 307, 308, 310, 311, 312, 316, 319, 321, 322, 323, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 416, 421, 423, and 424.
CT 1864—That portion not contained in Assembly District 41.
CT 1873—That portion contained within the following blocks: 101, 103, 109, 117, 118, 129, 130, 131, 203, 227, 304, 305, 307, 313, 317, 401, 402, 403, 404, 405, 408, 409, 410, 411, and 412.
CT 1974—That portion contained within the following blocks: 202, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 219, 220, 301, 302, 303, 304, 306, 307, 308, 309, 312, 313, 314, 315, and 316.
CT 2035—That portion contained within Block 316.
CT 4614—That portion contained within the following blocks: 114, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, and 316.
CT 4617—That portion contained within the following blocks: 101, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 201, 204, 205, 206, 207, 208, 210, 212, 213, 215, 219, 220, 221, 222, 223, 403, and 404.
CT 4619—That portion contained within the following blocks: 101, 102, 103, 104, 114, 115, 116, 120, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 501, 502, 503, 504, and 505.
CT 4622—That portion contained within the following blocks: 101, 102, 103, 105, 106, 111, 112, 115, 116, 117, 118, 201, 202, 203, 204, 205, 206, 207, 212, 214, 301, 302, 313, 314, and 321.
CT 4623—That portion contained within the following blocks: 211, 306, 307, 309, 401, 402, 403, 404, 408, 409, 410, 411, 414, 415, 416, 417, 501, 502, 503, and 504.
CT 4639—That portion contained within the following blocks: 307, 308, 309, 311, 312, 313, 314, 315, and 316.
CT 5306—That portion contained within the following blocks: 103, 104, 105, 106, 107, 108, 109, 110, 111, 203, 204, 209, 211, 214, 216, 408,

412, 501, 502, 503, 504, 505, 506, 507, 508, 509, 601, 602, 609, and 612.

CT 5310—That portion contained within the following blocks: 501, 503, 504, and 505.

CT 5311—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 501, 502, 503, 504, 505, 506, and 507.

Assembly District 56: Assembly District 56 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1976
CT 1977
CT 2034
CT 2039
CT 2041
CT 2042
CT 2043
CT 2044
CT 2045.01
CT 2045.02
CT 2046
CT 2047
CT 2048
CT 2049
CT 2051
CT 2061
CT 2062
CT 2063
CT 2064
CT 2065
CT 2071
CT 2072
CT 2073
CT 2078
CT 2079
CT 2081
CT 2134
CT 2217.01
CT 2241
CT 2242
CT 2243
CT 2244
CT 2261
CT 2262
CT 2263
CT 5303
CT 5305
CT 5312
CT 5313
CT 5314

CT 5315
CT 5316.01
CT 5316.02
CT 5317.01
CT 5317.02
CT 5323.02
CT 5333
CT 5334
CT 5337
CT 5339
CT 5340
CT 5341
CT 5342

Partial Census Tracts:

CT 2035—That portion contained within the following blocks: 103, 104, 105, 106, 120, 212, 217, 218, 219, 220, 221, 301, 302, 303, 304, 308, 309, 310, 311, 312, 401, 402, 403, 404, 407, 408, 409, 410, 411, and 412.

CT 2074—That portion contained within the following blocks: 101, 104, 105, and 106.

CT 2075—That portion contained within the following blocks: 101, 113, 114, 119, 120, 125, 126, 204, 208, 209, and 210.

CT 2076—That portion contained within the following blocks: 101, 102, 103, 104, 111, 115, 116, 117, 118, 201, and 203.

CT 2077—That portion contained within the following blocks: 101, 102, 103, 107, 108, 109, 110, 111, 112, 201, 202, 203, 204, 209, 211, 212, and 213.

CT 2082—That portion contained within the following blocks: 101, 102, 201, 202, 203, 204, 205, 206, 301, 302, 303, 304, 305, and 306.

CT 2096—That portion contained within the following blocks: 101, 102, 107, 108, 109, 110, 119, 120, and 121.

CT 2097—That portion contained within the following blocks: 101, 115, 116, 117, and 118.

CT 2211—That portion not contained within Assembly District 49.

CT 2245—That portion contained within Blocks 207, 208, 215, 216, 217, and 226.

CT 5304—That portion not contained in Assembly District 59.

CT 5306—That portion contained within the following blocks: 206, 208, 210, 212, 215, 301, 302, 303, 304, 305, 306, 401, 402, 403, 404, and 405.

CT 5310—That portion contained within the following blocks: 101, 103, 104, 105, 106, 203, 204, 205, 209, 210, 301, 307, 308, 401, 402, 403, 404, 405, 406, 407, 502, 506, 507, 601, 602, 603, 604, 605, 606, 607, and 608.

CT 5311—That portion contained within the following blocks: 201, 202, 203, 208, 211, 212, 301, 302, 303, 304, 305, 306, 307, 401, 402, 403, 404, 405, 406, and 407.

CT 5318—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, and 307.

CT 5319—That portion not contained in Assembly District 59.

CT 5323.01—That portion contained within the following blocks: Block Groups 1, 2, 4 and 5 and Blocks 301, 302, 304, 305, 306, 310, 313, 316, 317, 318, 321, 322, 323, 324, 328, 329, 330, 601 together with that portion of block 605 in the City of Commerce.

CT 5324—That portion not contained in Assembly District 47.

Assembly District 57: Assembly District 57 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 2944
CT 2945
CT 2946
CT 2947
CT 2947.99
CT 2948
CT 2949
CT 2949.99
CT 2951
CT 2951.99
CT 2961
CT 2961.99
CT 2962
CT 2962.99
CT 2963
CT 2964
CT 2965
CT 2966
CT 2969
CT 2971
CT 2971.99
CT 2972
CT 2975
CT 2976
CT 2976.99
CT 5436.03
CT 5701
CT 5702.01
CT 5702.02
CT 5703.01
CT 5703.02
CT 5704
CT 5705
CT 5716
CT 5717
CT 5721
CT 5722.01
CT 5722.02
CT 5723

CT 5724
CT 5725
CT 5726
CT 5727
CT 5728
CT 5729
CT 5730
CT 5731
CT 5732.01
CT 5732.02
CT 5733
CT 5752
CT 5753
CT 5754
CT 5755
CT 5756
CT 5756.99
CT 5757
CT 5757.99
CT 5758
CT 5759
CT 5760
CT 5762
CT 5763
CT 5764
CT 6099

Partial Census Tracts:

CT 2933—That portion contained within the following blocks: 106, 110, 111, 112, 113, 117, 118, 119, together with Block Groups 2, 3, 4, and 5.

CT 2941—That portion contained within the following blocks: 402, 403, 404, 405, 511, together with Block Groups 6 and 9.

CT 2943—That portion contained within Block Groups 3 and 4.

CT 2967—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 201, 202, 203, 206, 207, 208, 209, 210, 211, 212, 213, and 214.

CT 2968—That portion not contained in Assembly District 51.

CT 2973—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 201, 202, 203, 204, 205, 206, 207, 208, 210, 301, 302, 303, 304, 305, and 306.

CT 5440—That portion contained within the City of Long Beach.

CT 5706—That portion not contained in Assembly District 54.

CT 5715.01—That portion contained within the following blocks: 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 312, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, and 511.

CT 5718—That portion contained within the following blocks: 115, 117, 120, 127, 128.

CT 5720.02—That portion contained within the following blocks: 209, 210, 306, 307, 308, 309, 310, and 311.

CT 5751—That portion contained within the following blocks: 104, 105, 106, 107, 110, 201, 202, 206, 207, 210, 211, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 403, 404, 405, 406, 408, 409, 410, 411, 501, 502, 503, 505, 506, 514, 515, 516, 517, 521, 522, 523, 524, 528, 529, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 614, and 615.

CT 5765—That portion contained within the following blocks: 102, 103, 104, 105, 501, 502, 503, 504, 505, 508, 513, 601, 602, 605, 606, 607, and 612.

Assembly District 58: Assembly District 58 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 5715.02
CT 5719
CT 5720.01
CT 5734
CT 5735
CT 5740
CT 5741
CT 5742.01
CT 5742.02
CT 5743
CT 5744
CT 5745
CT 5746.01
CT 5746.02
CT 5747
CT 5748
CT 5749.01
CT 5749.02
CT 5750.01
CT 5750.02
CT 5761
CT 5766
CT 5767
CT 5768
CT 5769
CT 5770
CT 5771
CT 5772
CT 5773
CT 5774
CT 5775.01
CT 5775.02
CT 5776.01
CT 5776.02
CT 5776.03

CT 5990
CT 5991
Partial Census Tracts:
CT 5718—That portion contained within the following blocks: 106, 107, 108, 109, 110, 111, 112, 113, 114, 116, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 213, 214, 215, 216, 218, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, and 311.
CT 5720.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 201, 202, 203, 204, 205, 206, 207, 208, 302, 303, 304, and 305.
CT 5739.01—That portion contained within the following blocks: 903, 910, 911, and 913.
CT 5751—That portion contained within the following blocks: 101, 102, 108, 109, 203, 204, and 205.
CT 5765—That portion contained within the following blocks: 101, 106, 110, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307, 308, 401, 402, 403, 404, 405, 406, 701, 702, 703, 704, and 706.
together with the part of Orange County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 993.02
CT 993.03
CT 993.04
CT 993.05
CT 994.02
CT 994.04
CT 994.05
CT 994.06
CT 994.07
CT 994.08
CT 994.10
CT 994.11
CT 994.12
CT 994.13
CT 994.14
CT 994.15
CT 995.02
CT 995.03
CT 995.04
CT 995.05
CT 995.06
CT 995.07
CT 995.08
CT 996.02
CT 996.04
CT 996.05
CT 1100.08
CT 1100.12
Partial Census Tracts:

CT 992.11—That portion contained within the City of Huntington Beach.

CT 996.03—That portion contained within the City of Huntington Beach.

CT 997.02—That portion contained within the City of Huntington Beach.

CT 997.03—That portion contained within the City of Huntington Beach.

CT 1100.07—That portion contained within the City of Seal Beach.

Assembly District 59: Assembly District 59 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 4337
CT 4803
CT 4804
CT 4808.01
CT 4808.02
CT 4809
CT 4810
CT 4815
CT 4816.01
CT 4816.02
CT 4817.01
CT 4817.02
CT 4818
CT 4819.01
CT 4819.02
CT 4820.01
CT 4820.02
CT 4821.01
CT 4821.02
CT 4822
CT 4826
CT 4827
CT 4828
CT 5004.01
CT 5004.02
CT 5005
CT 5006
CT 5007
CT 5008
CT 5009
CT 5010
CT 5014
CT 5024
CT 5025
CT 5026.01
CT 5026.02

CT 5300.01
CT 5300.02
CT 5301.01
CT 5301.02
CT 5302.01
CT 5302.02
CT 5320
CT 5321
CT 5322
Partial Census Tracts:
CT 4083.02—That portion contained within Block 141.
CT 4084.02—That portion contained within Blocks 908 909, and 910.
CT 4331—That portion contained in the City of South El Monte.
CT 4334—That portion not contained in Assembly District 60.
CT 4335—That portion contained within the following blocks: 103, 104, 105, 106, 201, 202, 203, 204, 205, 306, 307, 308, 401, 402, 501, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 516, and 521; together with that portion of Blocks 403, 406, 409 in the City of South El Monte and that portion of Blocks 101 and 102 in the unincorporated land.
CT 4339—That portion contained within Block 311 in the City of South El Monte.
CT 4338—That portion not contained in Assembly District 60.
CT 4340—That portion contained in the City of South El Monte.
CT 4824.02—That portion not contained in Assembly District 60.
CT 4825.02—That portion not contained in Assembly District 60.
CT 5003—That portion contained within the following blocks: 108, 109, 112, 113, 114, 115, 117, 121, 122, 123, 901, 903, 910, 911, 912, and 913.
CT 5012—That portion contained within the following blocks: 104, 105, 106, 109, 110, 111, 113, 114, 115, 116, 117, 118, 119, 202, 204, 205, 206, 207, 208, 210, 216, 217, 218, 219, 226, and 227.
CT 5013—That portion contained within the following blocks: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 308, 310, 401, 402, 404, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 517, 518, 519, 601, 602, 603, 604, 606, 607, 608, 609, 612, 702, 703, 704, 705, 706, 707, 708, 709, 710, and 711.
CT 5015.02—That portion contained within the following blocks: 309, 310, 311, 312, 313, 314, 315, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, and 514.
CT 5018—That portion contained within the following blocks: 301, 302, 303, 304, 305, 306, 307, 308, 401, 402, 403, 404, 405, 406, 414, 416, 417, 503, 504, 505, 506, 507, 508, 509, 510, 601, 602, 603, 604, 605, 606, 607, and 608.
CT 5020.02—That portion contained within the following blocks: 110, 112, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 302, 303, 304 through 314, inclusive, and 401 through 405, inclusive.

CT 5021—That portion contained within the following blocks: 112, 201, 205, 206, 207, 208, 211, 213, 214, 215, 216, 217, 218, 220, 221, 222, 223, 224, 226, 301, 302, 304, 305, 306, 307, 308, and 310.

CT 5022—That portion not contained in Assembly District 63.

CT 5023—That portion outside the City of Santa Fe Springs.

CT 5029.02—That portion contained within the City of Whittier.

CT 5304—That portion contained within the City of Monterey Park.

CT 5318—That portion contained within the following blocks: 308, 309, and 310.

CT 5319—That portion contained within the City of Montebello.

Assembly District 60: Assembly District 60 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 4047
CT 4048
CT 4049
CT 4050
CT 4051
CT 4052
CT 4053
CT 4055
CT 4056
CT 4067
CT 4068
CT 4069
CT 4070
CT 4071.01
CT 4071.02
CT 4072
CT 4073
CT 4074
CT 4075
CT 4076
CT 4077
CT 4078
CT 4083.01
CT 4083.03
CT 4322
CT 4324
CT 4325
CT 4326
CT 4327
CT 4328
CT 4329
CT 4332
CT 4333
CT 4336.01

CT 4336.02
CT 4813
CT 4823.02
CT 4824.01
CT 4825.01
Partial Census Tracts:
CT 4033.02—That portion contained within the following blocks: 907, 908, 919, 920, and 931.
CT 4054—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 202, 203, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307, 309, 310, 311, 312, 313, 402, 403, 404, 405, 406, 407, and 408.
CT 4057—That portion contained within the following blocks: 304, 305, 307, 308, 309, 311, 312, 402, 403, 404, 405, 407, and 408.
CT 4062—That portion contained within the following blocks: 210, 211, 212, 213, 214, 215, 216, and that portion of Block 217 contained within the City of West Covina.
CT 4065—That portion contained within Blocks 404, 406, 407, 408, 409, 410, 501, 502, 503, 504, 508, 509, and 510.
CT 4079—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 115, 203, 204, 205, 206, 207, 208, 209, 210, 211, and 212.
CT 4082.01—That portion contained within the City of Industry together with the unincorporated land in Blocks 105 and 166.
CT 4082.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 112, 208, 212, 213, 216, 217, 218, 220, 221, 230, 233, 236, 237, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 250, 252, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 339, and 340.
CT 4083.02—That portion contained within the following blocks: 101, 102, 103, 104, 106, 107, 108, 119, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, and 140.
CT 4315—That portion contained within the City of El Monte.
CT 4321.01—That portion contained within the following blocks: 112, 113, 212 within the City of El Monte.
CT 4321.02—That portion contained in the City of El Monte.
CT 4323—That portion not contained in Assembly District 42.
CT 4331—That portion not contained in Assembly District 59.
CT 4334—That portion contained in the City of El Monte.
CT 4335—That portion contained within the following blocks: 301 and 302 together with that portion of Blocks 107, 206, 308, 403, 406, 409 in the City of El Monte.
CT 4338—That portion contained in the City of El Monte.
CT 4339—That portion contained within the following blocks: Block Groups 1 and 2 and Blocks 301, 302, 303, 304, 305, 306, 307 together with that portion of Block 311 in the City of El Monte.
CT 4340—That portion not contained in Assembly District 59.
CT 4824.02—That portion contained within the City of Rosemead together with the unincorporated land in Blocks 203, 204, 205, 215,

and 217.

CT 4825.02—That portion contained within the City of Rosemead.

Assembly District 61: Assembly District 61 shall consist of the part of San Bernardino County not contained within Assembly District 62, Assembly District 65, or Assembly District 66.

Assembly District 62: Assembly District 62 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 4002.01
CT 4002.02
CT 4003
CT 4004.01
CT 4004.02
CT 4005
CT 4010.01
CT 4010.02
CT 4011.01
CT 4011.02
CT 4012.01
CT 4012.02
CT 4012.03
CT 4013.02
CT 4013.11
CT 4013.12
CT 4015
CT 4016
CT 4018
CT 4019.01
CT 4019.02
CT 4020
CT 4023.02
CT 4024.01
CT 4024.02
CT 4024.03
CT 4024.04
CT 4025.01
CT 4025.02
CT 4029.01
CT 4029.02
CT 4030
CT 4032
CT 4035
CT 4036
CT 4037.01
CT 4037.21
CT 4037.22
CT 4038
CT 4060

CT 4061.01
CT 4061.02
CT 4063
CT 4064.01
CT 4064.02
CT 4066.01
CT 4066.02
CT 4088
CT 9300
CT 4023.01
Partial Census Tracts:
CT 4008—That portion not contained in Assembly District 42.
CT 4009—That portion not contained in Assembly District 42.
CT 4039.01—That portion not contained in Assembly District 42.
CT 4057—That portion not contained in Assembly District 60.
CT 4058—That portion not contained in Assembly District 42.
CT 4059—That portion not contained in Assembly District 42.
CT 4054—That portion within the City of Covina.
CT 4017.01—That portion not within Assembly District 65.
CT 4062—That portion not contained within Assembly District 60.
CT 4065—That portion not contained within Assembly District 60.
CT 4080 01—That portion contained within the following blocks: 101-104, and 106.
CT 4021.01—That portion not contained within Assembly District 65.
CT 4033.11—That portion not contained within Assembly District 52 together with that part of San Bernardino County within the following whole and partial census tracts:
CT 8.01
CT 8.03
CT 9
Partial Census Tracts:
CT 8.02—That portion contained within the City of Upland.
Assembly District 63: Assembly District 63 shall consist of the part of Los Angeles County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 5027
CT 5028
CT 5029.01
CT 5030
CT 5031.02
CT 5041.02
CT 5500
CT 5501
CT 5502
CT 5503
CT 5504
CT 5505

CT 5506
CT 5507
CT 5508
CT 5509
CT 5510
CT 5511
CT 5512
CT 5513
CT 5514
CT 5515
CT 5516
CT 5517
CT 5518
CT 5519
CT 5520
CT 5521
CT 5522
CT 5523
CT 5524
CT 5526
CT 5527
CT 5528
CT 5529
CT 5530
CT 5534
CT 5545.11
CT 5545.12
CT 5545.13
CT 5545.14
CT 5545.15
CT 5545.16
CT 5545.17
CT 5545.18
CT 5545.19
CT 5545.21
CT 5545.22
CT 5546
CT 5547
CT 5548.01
CT 5548.02
CT 5549
CT 5551.01
CT 5551.02
CT 5552.01

Partial Census Tracts:

CT 5020.01—That portion contained within the following blocks: 304, 305, 306, 307, and 308.

CT 5021—That portion contained within the following blocks: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 309, and 311.

CT 5022—That portion within the City of Santa Fe Springs.

CT 5023—That portion contained within the City of Santa Fe Springs.

CT 5029.02—That portion not contained in Assembly District 59.

CT 5031.01—That portion contained within the following blocks: 101, 102, 104, 105, 106, 108, 109, 112, 113, 114, 115, 116, 117, 401, 403, 404, 405, 406, 407, 408, 409, 410, and 411.

CT 5032.01—That portion contained within the following blocks: 203, 204, 205, 206, 301, and 315.

CT 5032.02—That portion contained within the following blocks: 119, 120, 121, 203, 205, 206, 208, 213, and 214.

CT 5041.01—That portion in the City of Santa Fe Springs.

CT 5552.02—That portion contained within the following blocks: 101, 103, 104, 106, 107, 108, 109, 110, 116, and 117.

Assembly District 64: Assembly District 64 shall consist of the part of Orange County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 11.01
CT 11.02
CT 11.03
CT 12
CT 13.01
CT 13.02
CT 14.01
CT 14.02
CT 14.03
CT 14.04
CT 15.01
CT 15.02
CT 15.03
CT 15.04
CT 15.05
CT 16.01
CT 16.02
CT 17.01
CT 17.02
CT 18.02
CT 19.01
CT 19.02
CT 19.03
CT 110
CT 111.01
CT 111.02
CT 112
CT 113
CT 114.01
CT 114.02
CT 115.01

CT 115.02
CT 116.01
CT 116.02
CT 117.07
CT 117.08
CT 117.09
CT 117.10
CT 117.11
CT 117.12
CT 117.13
CT 117.14
CT 117.15
CT 117.16
CT 218.13
CT 219.03
CT 863.04
CT 863.05
CT 864.02
CT 864.04
CT 864.05
CT 864.06
CT 864.07
CT 866.01
CT 866.02
CT 867.01
CT 867.02
CT 868.02
CT 871.02
CT 1106.05

Partial Census Tracts:

CT 18.01—That portion contained within the City of Fullerton.
CT 117.17—That portion contained within the City of Placentia.
CT 117.18—That portion contained within the City of Placentia.
CT 218.05—That portion not contained within the City of Yorba Linda.
CT 218.09—That portion contained within the City of Placentia.
CT 218.10—That portion contained within the City of Placentia.
CT 218.11—That portion not contained within the City of Yorba Linda.
CT 218.12—That portion contained within the City of Anaheim.
CT 219.04—That portion not contained within the City of Orange.
CT 762.02—That portion contained within the City of Anaheim.
CT 868.01—That portion contained within the City of Anaheim.

Assembly District 65: Assembly District 65 shall consist of that part of Los Angeles County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 4017.02
CT 4021.02

CT 4022
CT 4026
CT 4027.01
CT 4027.02
CT 4028
Partial Census Tracts:
CT 4021.01—That portion west of San Antonio Street.
CT 4017.01—That portion contained within the City of Pomona, together with that part of San Bernardino County contained within the following whole and partial census tracts:
Whole Census Tracts
CT 1
CT 2
CT 3
CT 4
CT 5
CT 6.01
CT 6.02
CT 7
CT 10
CT 11
CT 12
CT 19
CT 21
CT 91.01
CT 91.02
CT 92
CT 100.02
Partial Census Tracts:
CT 8.02—That portion not contained within the City of Upland.
CT 13—That portion not in Assembly District 66.
CT 14—That portion not in Assembly District 66.
CT 15—That portion not in Assembly District 66.
CT 16—That portion contained in blocks 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115.
CT 17—That portion not contained in Assembly District 66.
CT 18—That portion contained in Block Groups 3 and 4 and blocks 204, 105, 206, 207, 502, 503.
CT 20—That portion not contained in Assembly District 66.
CT 22—That portion not contained in Assembly District 66.
CT 100.01—That portion contained within Enumeration Districts 738, 739, 740, 741, 774, 775, 776, 777, and 778.
CT 101—That portion north of Highway 138.
Assembly District 66: Assembly District 66 shall consist of the part of San Bernardino County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 23
CT 24

CT 25
CT 26
CT 27
CT 28
CT 29
CT 30
CT 31
CT 32
CT 33
CT 34
CT 35
CT 36
CT 37
CT 38
CT 39
CT 40
CT 41
CT 42
CT 43
CT 44
CT 46
CT 47
CT 48
CT 49
CT 50
CT 52
CT 53
CT 54
CT 55
CT 56
CT 57
CT 58
CT 59
CT 60
CT 62
CT 63
CT 64
CT 65
CT 66
CT 67
CT 68
CT 69
CT 70
CT 77

Partial Census Tracts:

CT 13—That portion contained within blocks 217, 218, 219, 220, 221, 222, 223, 224, Block Groups 3 and 4, blocks 501, 502, 503, 504, and 505

CT 14—That portion contained within blocks 309, 310, 311, 312,

313, 314, 315, 316, 317, 318, 320, 321, 322, 323, 324, and 325

CT 15—That portion contained within Block Group 1 and blocks 201, 209, 210, 301, 302, 303, 304, and 305

CT 16—That portion not contained in Assembly District 65

CT 17—That portion contained within blocks 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 406, 407, 408, and 409

CT 18—That portion contained within Block Groups 3 and 4 and blocks 204, 205, 206, 207, 502, and 503

CT 20—That portion contained within the following blocks: 670, 671, 672, 698, 945, 946, 947, 988, 989, 992, 994, 998, and 999.

CT 22—That portion contained within the City of Fontana together with that portion of the unincorporated land in Block Groups 1, 2, 3, and 9 together with blocks 930, 933, 934, 935, 942, 943, 944, 947, 949, 961, 962, 963, 971, 972, 979, 980, 983, 984, and that portion of block 982 within the City of Ontario

CT 71—That portion not contained within the City of Grand Terrace, and not located south of the easterly extension of Pico Street from the Grand Terrace city boundary to the tract boundary.

CT 72—That portion not contained in the City of Loma Linda.

CT 73—That portion contained within the City of Colton together with that portion contained within the City of San Bernardino.

CT 76—That portion contained within the following blocks. 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 212, 222, 223, 302, 303, 305, 306, 307, 309, 310, 311, 312, 313, 314, 319, 320, 321, 322, 401, 402, 403, 404, 407, 409, 410, 411, 412, 413, 501, 502, 503, 504, 505, 506, 507, 508, 510, 511, and 512.

CT 101—That portion contained within the following blocks: 106, 901, 902, 903, 904, 916, 919, 922, 924, 926, 927, 930, and 931; together with the following Enumeration Districts: 27, 28T, 28U, 28V, 29T, 29U, 30, 31, 32T, 32U, 33, 34, 35T, 35U, 35V, and 43A.

Assembly District 67. Assembly District 67 shall consist of the part of Orange County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 218.02
CT 218.06
CT 218.07
CT 218.08
CT 219.05
CT 219.06
CT 219.07
CT 219.08
CT 219.09
CT 320.11
CT 525.02
CT 744.04
CT 753.01
CT 753.02

CT 753.03
CT 754.01
CT 754.03
CT 754.04
CT 754.05
CT 755.04
CT 755.05
CT 755.06
CT 755.07
CT 755.08
CT 755.09
CT 756.01
CT 756.02
CT 756.03
CT 757.01
CT 757.02
CT 757.03
CT 758.02
CT 758.03
CT 758.04
CT 758.05
CT 758.06
CT 758.07
CT 758.08
CT 758.09
CT 758.10
CT 759.01
CT 759.02
CT 760
CT 761.02
CT 761.03
CT 762.01
CT 762.04
CT 762.05
CT 762.06
CT 762.07
CT 762.08
CT 863.06
CT 875.04

Partial Census Tracts:

CT 117.17—That portion not contained in Assembly District 64.
CT 117.18—That portion not contained in Assembly District 64.
CT 218.05—That portion not contained in Assembly District 64.
CT 218.09—That portion not contained in Assembly District 64.
CT 218.10—That portion not contained in Assembly District 64.
CT 218.11—That portion not contained in Assembly District 64.
CT 218.12—That portion not contained in Assembly District 64.
CT 219.04—That portion not contained in Assembly District 64
CT 524.04—That portion not contained within the City of Irvine.

CT 524.05—That portion not contained within the City of Irvine.
CT 525.10—That portion not contained within the City of Irvine.
CT 744.03—That portion not contained in Assembly District 72.
CT 750.01—That portion contained within the following blocks: Block Group 1, together with Blocks 201, 202, 203, 204, 205, 206, 207, 208, 219, 220, 221, 222, 223, 224, and 225.
CT 751—That portion contained within the following blocks: Block Groups 1, 2 and 3, together with Blocks 406, 407, 408, 409, 410 and 411.
CT 761.01—That portion not contained in Assembly District 72.
CT 762.02—That portion not contained in Assembly District 64.
CT 863.03—That portion contained within the following blocks: 102, 104, 115, 116, 118, 120, 121, 122, 123, 124, 130, 133, 134, 135, 136, 205, 206, 209, 210, 211, 216, together with that portion of Blocks 119, 137, 215, and 217 within the City of Anaheim, and together with that portion of Blocks 119, 137, 215, and 217 within unincorporated land.
CT 891.01—That portion contained within the following blocks: 102, 103, 104, together with that portion of Blocks 106, 109, 115, and 119 within the City of Santa Ana.
CT 891.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108. 109, 110, 111, 112, together with that portion of Blocks 109 and 114 within the unincorporated area and that portion of Block 109 within the City of Santa Ana.
CT 524.06—That portion contained in the City of Tustin.
CT 524.07—That portion not contained in the City of Irvine.
CT 525.01—That portion contained in the City of Tustin.
Assembly District 68: Assembly District 68 shall consist of the part of Riverside County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 301
CT 302
CT 303
CT 307
CT 308
CT 309
CT 310
CT 311
CT 313
CT 314.01
CT 314.02
CT 315.01
CT 315.02
CT 316
CT 401
CT 402
CT 403
CT 404
CT 405

CT 410
CT 411
CT 412
CT 413
CT 421
CT 422.02
CT 422.03
CT 422.04
CT 423
CT 424
CT 425.01
CT 428
CT 429
CT 438.02
CT 438.03
CT 438.04
CT 439
CT 440
CT 441
CT 442
CT 443
CT 445.02
CT 452.02
CT 453
CT 454
CT 455
CT 457.01
CT 457.02
CT 458
CT 459
CT 460
CT 461
CT 462

Partial Census Tracts:

CT 304—That portion contained within the following block groups: 1, 3, 4, and 5; together with that portion contained within the following blocks: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 214, 216, 220, 223, 227, 228, 229, 230, and 231.

CT 305—That portion contained within the following block groups: 1, 2, 4, and 5; together with that portion contained within the following blocks: 301, 302, 303, 304, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, and 322.

CT 420.02—That portion not contained in Assembly District 73.

CT 425.02—That portion contained within the following blocks: 102, 103, 903, 910, 911, 912, and 913.

CT 426—That portion contained within the following Enumeration Districts: 651, 686, 687, and 688.

CT 427.03—That portion contained within the City of Perris.

CT 427.04—That portion contained within the following

Enumeration Districts: 652, 653, 654, 655, 672, 682, 693A, 693B, and 694.

CT 430—That portion contained within the following Enumeration Districts: 727, 728T, 728U, 728V, 729T, 729U, 729V, and 743.

CT 431—That portion contained within the following Enumeration Districts: 730, 731, 732, 733, 734, and 747B.

CT 445.01—That portion contained within the following Enumeration Districts: 410, 412W, and 412Y.

CT 452.01—That portion contained within the City of Coachella, together with that portion contained within the City of Indio, together with that portion of the unincorporated territory located in Block Groups 3, 4, and 9, together with Enumeration Districts 338, 339A, 339D, and 750.

CT 456.01—That portion contained within the following block groups: 1, 2, 3, and 4; and together with that portion contained within the following Enumeration Districts: 335, 366, and 370.

Assembly District 69: Assembly District 69 shall consist of the part of Orange County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 524.08
CT 525.04
CT 525.05
CT 525.06
CT 525.07
CT 525.08
CT 525.09
CT 626.11
CT 626.12
CT 626.13
CT 626.14
CT 626.15
CT 626.16
CT 636.01
CT 638.02
CT 638.03
CT 638.05
CT 638.06
CT 638.07
CT 639.02
CT 639.03
CT 639.04
CT 639.05
CT 639.07
CT 639.08
CT 740.04
CT 740.06
CT 741.04

CT 741.05
CT 889.04
CT 992.04
CT 992.12
CT 992.14
CT 992.15
CT 992.16
CT 992.17
CT 992.19
CT 992.20
CT 992.22
CT 992.23
CT 992.24
CT 992.25
CT 992.26
CT 992.27
CT 992.28
CT 992.29
CT 992.30
CT 992.31
CT 992.32
CT 992.33
CT 992.34
CT 992.35
CT 992.36
CT 992.37
CT 992.38
CT 992.39
CT 992.40

Partial Census Tracts:

CT 524.04—That portion contained within the City of Irvine.
CT 524.05—That portion contained within the City of Irvine.
CT 524.06—That portion not contained in Assembly District 67.
CT 524.07—That portion contained within the City of Irvine.
CT 525.10—That portion not contained within the City of Tustin.
CT 515.10—That portion not contained in Assembly District 67.
CT 626.04—That portion contained within the City of Irvine.
CT 626.10—That portion contained within the City of Irvine.
CT 626.18—That portion contained within the City of Irvine.
CT 626.21—That portion contained within the City of Irvine.
CT 740.03—That portion not contained within Assembly District 72

CT 740.05—That portion contained within the following blocks: 108, 109, 110, 111, 118, 119, 120, 121, 127, 128, 129, 130, 131, 132, 133, 134, and 135 in the City of Santa Ana.

CT 889.05—That portion contained within the following blocks: 201, 202, 203, 204, 212, 213, and 215 in the City of Westminster.

CT 992.02—That portion contained within the following blocks: 113, 114, 119, 124, 127, and 210 in the City of Fountain Valley.

CT 992.03—That portion contained within the following blocks: 213, 217, and 218 together with that portion of Block 212 in the City of Fountain Valley.

CT 992.11—That portion not contained within Assembly District 58.

CT 996.01—That portion contained within the following blocks: 214, 215, 216, 218, 219, 220, 221, 222, 223, 226, 227, 228, and 231 in the City of Westminster.

CT 997.02—That portion not contained within Assembly District 58.

CT 997.03—That portion not contained within Assembly District 58.

Assembly District 70: Assembly District 70 shall consist of the part of Orange County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 320.02
CT 320.03
CT 320.06
CT 320.07
CT 320.08
CT 320.09
CT 320.12
CT 320.13
CT 320.14
CT 320.15
CT 423.03
CT 423.05
CT 423.06
CT 423.07
CT 423.08
CT 423.09
CT 423.10
CT 423.11
CT 423.12
CT 423.13
CT 423.14
CT 524.09
CT 524.10
CT 524.11
CT 626.05
CT 626.07
CT 626.08
CT 626.17
CT 626.19
CT 626.20
CT 626.22
CT 626.23
CT 627

CT 628
CT 629
CT 630.01
CT 630.04
CT 630.05
CT 630.06
CT 630.07
CT 630.08
CT 631.01
CT 631.02
CT 631.03
CT 632.01
CT 632.02
CT 633
CT 634
CT 635
CT 636.02
CT 636.03
CT 637
CT 638.08
CT 639.06

Partial Census Tracts:

CT 421.01—That portion contained within the City of San Juan Capistrano.

CT 422.01—That portion not contained within the city of San Clemente.

CT 422.02—That portion contained within the City of San Juan Capistrano.

CT 626.04—That portion not contained in Assembly District 69.
CT 626.10—That portion not contained in Assembly District 69.
CT 626.18—That portion not contained in Assembly District 69.
CT 626.21—That portion not contained in Assembly District 69.
CT 320.10—That portion not contained in Assembly District 74.

Assembly District 71: Assembly District 71 shall consist of the part of Orange County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 868.03
CT 869.01
CT 869.02
CT 869.03
CT 870.01
CT 870.02
CT 871.01
CT 871.03
CT 876.01
CT 876.02
CT 877.01
CT 877.03

CT 877.04
CT 880.02
CT 882.01
CT 882.02
CT 882.03
CT 883.01
CT 883.02
CT 886.01
CT 887.01
CT 887.02
CT 999.01
CT 1100.01
CT 1100.03
CT 1100.04
CT 1100.05
CT 1100.06
CT 1100.10
CT 1100.11
CT 1100.13
CT 1101.01
CT 1101.02
CT 1101.04
CT 1101.06
CT 1101.08
CT 1101.09
CT 1101.10
CT 1101.11
CT 1101.12
CT 1101.14
CT 1102.01
CT 1102.02
CT 1103.01
CT 1103.02
CT 1103.03
CT 1103.04
CT 1104.01
CT 1104.02
CT 1105
CT 1106.01
CT 1106.03
CT 1106.04

Partial Census Tracts:

CT 18.01—That portion not contained in Assembly District 64.
CT 863.01—That portion not contained in Assembly District 72.
CT 865.01—That portion not contained in Assembly District 72.
CT 868.01—That portion not contained in Assembly District 64.
CT 871.04—That portion not contained within Assembly District 72.
CT 872—That portion not contained in Assembly District 72.

CT 874.01—That portion not contained in Assembly District 72.
CT 875.01—That portion not contained in Assembly District 72.
CT 875.03—That portion not contained in Assembly District 72.
CT 878.01—That portion contained within the city of Anaheim.
CT 878.02—That portion not contained in Assembly District 72.
CT 878.03—That portion not contained in Assembly District 72.
CT 878.05—That portion not contained in Assembly District 72.
CT 878.06—That portion not contained in Assembly District 72.
CT 880.01—That portion not contained in Assembly District 72.
CT 881.01—That portion not contained in Assembly District 72.
CT 881.02—That portion not contained in Assembly District 72.
CT 881.03—That portion not contained in Assembly District 72.
CT 886.02—That portion not contained in Assembly District 72.
CT 888—That portion not contained in Assembly District 72.
CT 996.03—That portion not contained in Assembly District 58.
CT 1100.07—That portion not contained in Assembly District 58.
CT 1101.13—That portion not contained in Assembly District 72.
CT 1102.03—That portion not contained in Assembly District 72.

Assembly District 72: Assembly District 72 shall consist of the part of Orange County contained within the following whole and partial census tracts:

Whole Census Tracts:
CT 741.01
CT 741.02
CT 741.03
CT 742
CT 743
CT 745.01
CT 745.02
CT 746.01
CT 746.02
CT 747.01
CT 747.02
CT 748.01
CT 748.02
CT 748.03
CT 748.04
CT 749.01
CT 749.02
CT 750.02
CT 752.01
CT 752.02
CT 865.02
CT 873
CT 874.02
CT 874.03
CT 879.01
CT 879.02
CT 884.01

CT 884.02
CT 884.03
CT 885.01
CT 885.02
CT 889.01
CT 889.02
CT 889.03
CT 890.01
CT 890.02
CT 891.03
CT 992.01
CT 997.01
CT 998.01
CT 998.02
CT 998.03
CT 999.02
CT 999.03
CT 999.04

Partial Census Tracts:

CT 740.03—That portion contained within the following blocks: Block Group 1, 201, 202, 203, 206, 207, 208, 241, and 242.

CT 740.05—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 112, 113, 114, 115, and 116.

CT 744.01—That portion contained within the following blocks: 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 121, 122, 124, 126, 127, 128, 129, 130, 133, Block Group 2, 3, and 4; together with that portion of Block 120 within the City of Santa Ana.

CT 744.03—That portion contained within Blocks 233, 234.

CT 750.01—That portion contained within the following blocks: 209, 210, 211, 212, 213, 214, 215, 216, 217, and 218.

CT 751—That portion contained within the following blocks: 402, 405, 413, 415, 416, 417, 418, 419, 420, and 421.

CT 761.01—That portion contained within Blocks 604 and 605.

CT 863.01—That portion contained within the following blocks: 303, 304, 305, 306, 307, 308, 309, 310, 311, 318, 319, and 320.

CT 863.03—That portion contained within the following blocks: 109, 111, 113, 125, 126, 127, 128, 129, 131, 132, 201, 208, 214, 218, 219, and 220.

CT 865.01—That portion contained within the following blocks: 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 205, 206, 207, 208, 209, and 210.

CT 871.04—That portion contained within the following blocks: 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, and 220.

CT 872—That portion contained within the following blocks: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 306, 307, 308, and 309.

CT 874.01—That portion contained within the following blocks: 105, 106, 107, 108, 110, 113, 114, 201, 203, 204, 205, 206, 207, 211, and 212.

CT 875.01—That portion contained within the following blocks:

101, 102, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 123, 125, 126, 127, 128, and 129.

CT 875.03—That portion contained within the following blocks: 109, 112, 113, 215 together with that portion of Blocks 213 and 214 within the City of Garden Grove.

CT 878.01—That portion not contained within Assembly District 71.

CT 878.02—That portion contained within Blocks 108, 109, 110, and 111 within the City of Stanton; together with Block Groups 2, 3, 4, and 5.

CT 878.03—That portion contained within Blocks 105 and 106 together with that portion of Blocks 108 and 109 in the City of Stanton; together with Block Groups 2, 3, and 4.

CT 878.05—That portion contained within the following blocks: 304, 305, 306, 307, 308, 309, 310, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 403, 404, 411, 412, and 501; together with that portion of Blocks 313, 326, 409, 410, 413, 509, and 511 in the City of Stanton; and together with that portion of Blocks 313 and 326 in the unincorporated land.

CT 878.06—That portion contained within the following blocks: 106, 107, 111, 208 in the City of Stanton; together with Blocks 201, 202, 203, 205, 206, 207, and that portion of Blocks 106, 107, and 208 within the unincorporated land and that portion of Block 208 within the City of Garden Grove.

CT 880.01—That portion contained within the following blocks: 108, 109, 110, 111, 112, 113, 114 and Block Group 2.

CT 881.01—That portion contained within Block Group 1 in the City of Stanton.

CT 881.02—That portion contained within the following blocks: 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, Block Group 2; together with that portion in the City of Stanton.

CT 881.03—That portion contained within the following blocks: 109, 110, 111, 112, and 113, and Block Groups 2 and 3.

CT 886.02—That portion contained within Blocks 113 and 114.

CT 888—That portion contained within the following blocks: 104, 106, 107, 108, 113, 114, 115, 116, 117, 122, 123, 124, 125, 126, 127, and 128; together with Block Groups 2 and 3.

CT 889.05—That portion contained within the following blocks: Block Group 1 and Blocks 206, 208, 209, 210, 211, and 214.

CT 891.01—That portion contained within the following blocks: 112 and Block Group 2 within the City of Santa Ana, together with Blocks 107, 108, 114, 204, 205, 206, and 207, and Block Group 3; together with that portion of Blocks 106, 109, 112, 115, 119, 210, and 216 within the City of Garden Grove.

CT 891.02—That portion contained with Block Group 1 within the City of Garden Grove.

CT 992.02—That portion contained within the following blocks: Block Groups 1 and 2 within the City of Santa Ana.

CT 992.03—That portion contained within Block 108; together

with that portion of Blocks 127 and 212 within the City of Westminster; together with Blocks 110, 122, 203, 204, 205, 207, 208, and that portion of Blocks 106, 111, 112, 113, 121, 127, 206, 212 in the City of Garden Grove; and together with Blocks 101, 102, 103, 104, 123, 125, 201, 202, 210, 211, and that portion of Blocks 106, 111, 112, 113, 121, 206, and 212 within the City of Santa Ana.

CT 996.01—That portion contained within the following blocks: Block Group 1 and Blocks 202, 203, 204, 205, 206, 208, 209, 210, 211, 213, 232, 233, 234, and 235.

CT 1101.13—That portion contained within Blocks 144 and 146 within the City of Stanton.

CT 1102.03—That portion contained within Block 101 within the City of Stanton.

Assembly District 73: Assembly District 73 shall consist of the part of Riverside County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 306
CT 312
CT 317
CT 406.01
CT 406.02
CT 407
CT 408.02
CT 408.03
CT 408.04
CT 408.05
CT 409
CT 414.01
CT 414.02
CT 415
CT 416
CT 417.01
CT 417.02
CT 418.01
CT 418.02
CT 419.01
CT 419.02
CT 420.01
CT 422.01
CT 425.03
CT 427.02
CT 433.01
CT 433.02
CT 433.03
CT 434.01
CT 434.02
CT 435.01
CT 435.02

CT 436
CT 437
CT 446
CT 447
CT 448.02
CT 448.03
Partial Census Tracts:
CT 304—That portion contained within the following blocks: 218, 219, 221, 222, 224, 225, and 226.
CT 305—That portion contained within the following blocks: 316, 317, 318, 319, and 320.
CT 420.02—That portion contained within the following blocks: 201, 202, 203, 227, 231, 232, 602, 901, 902, 903, 904, and 914 together with Enumeration Districts 723, 724, and 725.
CT 425.02—That portion contained within Block Group 2; together with that portion contained within the following blocks: 101, 106, 107, 108, 109, 901, 904, 905, 906, 907, 908, 914, 915, 916, 917, 918, and 919; and together with that portion contained within Enumeration District 990.
CT 426—That portion contained within Block Groups 1, 2, 4, 5, and 6; together with that portion contained within Enumeration District 685.
CT 427.03—That portion not contained in Assembly District 68.
CT 427.04—That portion contained within Block 101; together with that portion contained within the following Enumeration Districts: 663, 664, 665, 666, 667, 668, 669, 670, 671, 689T, 689U, 689V, 690, 691, and 692.
CT 430—That portion contained within Enumeration Districts 742 and 744.
CT 431—That portion not contained in Assembly District 68.
CT 444—That portion contained within Block Group 1; together with that portion contained within the following Enumeration Districts: 541T, 541U, 541V, 541W, 542T, 542U, 542V, 542W, 543, 545A, and 545B.
CT 449.01—That portion contained within the City of Palm Springs.
Assembly District 74: Assembly District 74 shall consist of the part of Orange County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 421.02
CT 421.03
CT 421.04
Partial Census Tracts:
CT 320.10—That portion contained within Blocks 907 and 979 in the City of San Clemente.
CT 421.01—That portion contained within the following blocks: Block Groups 1 and 2, 908, 909, 910, 916, 917, 918, 919, 920, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, and 932; together with that

portion of Block 921 in the unincorporated land and the City of San Clemente.

CT 422.01—That portion contained within the City of San Clemente.

CT 422.02—That portion contained within the following blocks: 212, 213, 214, 215, 216, 217, 218, 219, 228, 229, 230, 231, 232, 233, 236, 238, 239, 240, 241, 242, 243, 245, 246, 247, 250, 915, 920, 924, 925, 926, 928, 929, 930, 933, 934, 941, 942, 944, 946, 947, 948, 949, 950, 951, 960, and 962, together with that portion of Blocks 952, and 953 in the City of San Clemente; and together with that portion of Blocks 249, 921, and 952 in the unincorporated area;

together with the part of San Diego County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 177
CT 178.01
CT 178.03
CT 178.04
CT 179
CT 180
CT 181
CT 182
CT 183
CT 183.99
CT 184
CT 185.01
CT 185.02
CT 185.04
CT 185.05
CT 185.06
CT 186.01
CT 186.03
CT 186.04
CT 186.05
CT 187
CT 188
CT 189.01
CT 189.02
CT 190
CT 191.01
CT 191.02
CT 192.01
CT 192.02
CT 193
CT 194
CT 195
CT 196
CT 197
CT 198

CT 199
CT 200.03
CT 200.04
CT 200.05
CT 209.01

Partial Census Tracts:

CT 200.02—That portion not contained in Assembly District 76.

CT 173.02—That portion of Blocks 102 through 124, inclusive, 201, 202, 203, and 301, together with that portion of Blocks 299, 302, and 303 contained in the unincorporated land.

CT 203.03—That portion not contained in the City of Escondido.

Assembly District 75: Assembly District 75 shall consist of the part of San Diego County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 69
CT 70.01
CT 70.02
CT 71
CT 72
CT 73.02
CT 81.01
CT 81.02
CT 82
CT 83.01
CT 83.03
CT 83.05
CT 83.06
CT 83.07
CT 83.10
CT 83.11
CT 83.12
CT 83.13
CT 83.14
CT 83.15
CT 83.16
CT 83.17
CT 83.18
CT 83.19
CT 83.20
CT 83.21
CT 83.22
CT 83.23
CT 83.24
CT 85.01
CT 85.02
CT 85.03
CT 99.01
CT 102

CT 103
CT 104
CT 105
CT 106.01
CT 106.02
CT 106.03
CT 106.99
CT 107
CT 108
CT 109
CT 110
CT 111
CT 112
CT 113
CT 170.12
CT 170.14
CT 170.15
CT 170.16
CT 170.17
CT 170.18
CT 171.01
CT 171.02
CT 172
CT 173.01
CT 174.01
CT 174.02
CT 175
CT 176

Partial Census Tracts:

CT 68—That portion contained within the following blocks: 201, 202, 203, 204, 205, 209, 210, 211, 212, and 213.

CT 73.01—That portion not contained in Assembly District 78

CT 74—That portion contained within the following blocks: 113, 114, 115, 116, 117, 118, 119, 120, 201, 202, and 901.

CT 75—That portion contained within the following blocks: 412, 413, 501.

CT 76—That portion not contained in Assembly District 78.

CT 79.01—That portion not contained in Assembly District 78.

CT 80.01—That portion not contained in Assembly District 78.

CT 80.02—That portion not contained in Assembly District 78.

CT 173.02—That portion of Block 299, 302, and 303 in the City of San Diego.

CT 204—That portion not contained in Assembly District 76.

Assembly District 76: Assembly District 76 shall consist of the part of Riverside County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 432
CT 449 02

CT 449.03
CT 450
CT 451.02
CT 451.03
CT 451.04
CT 456.02
Partial Census Tracts:
CT 444—That portion not contained in Assembly District 73.
CT 445.01—That portion not contained in Assembly District 68.
CT 449.01—That portion not contained within Assembly District 73.
CT 452.01—That portion not contained in Assembly District 68.
CT 456.01—That portion not contained in Assembly District 68.
together with the part of San Diego County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 134.04
CT 135.01
CT 135.02
CT 136.01
CT 155
CT 168.02
CT 168.04
CT 169
CT 170.05
CT 170.06
CT 170.07
CT 170.08
CT 170.09
CT 170.10
CT 170.11
CT 170.13
CT 201.01
CT 201.02
CT 202.01
CT 202.02
CT 202.03
CT 202.04
CT 202.05
CT 203.01
CT 203.02
CT 205
CT 206.01
CT 206.02
CT 207.01
CT 207.03
CT 207.04
CT 208
CT 209.02

CT 210
CT 212.01
CT 212.02
Partial Census Tracts:
CT 133.05—That portion contained within the following blocks: 904, 905, and 906 and the portions of Blocks 120 and 124 not contained within or surrounded by the City of Chula Vista; and together with that portion contained within Enumeration District 313.
CT 134.03—That portion contained within the City of Chula Vista together with enclosed unincorporated territory.
CT 136.02—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 201, 202, 203, 204, 205, 206, 207, 208, 302, 303, 304, 306, together with that portion of Block 301 north of Fury Lane and its extension.
CT 154.02—That portion contained within the following blocks: 202, 203, 204, 902, 903, 904, 913, 914, together with that portion of Blocks 115 and 905 within the unincorporated land.
CT 168.03—That portion not contained in Assembly District 77.
CT 168.05—That portion not contained within Assembly District 77.
CT 200.02—That portion contained within the City of Escondido.
CT 203.03—That portion not contained in Assembly District 74.
CT 204—That portion contained within the following blocks: 101, 102, 103, 106, 107, 108, 110, 111, 113, 114, 115, 128, 129, 130, 141, 143, 145, 148, 149, 150, 151, 152, 153, 154, 155, 601, 903, and that portion of Blocks 610 and 914 in the City of Escondido.
CT 213—That portion not contained in Assembly District 80.
Assembly District 77: Assembly District 77 shall consist of the part of San Diego County contained within the following whole and partial census tracts:
Whole Census Tracts:
CT 20.01
CT 20.02
CT 29.01
CT 95.01
CT 95.02
CT 95.03
CT 95.04
CT 96.02
CT 96.03
CT 96.04
CT 97.03
CT 97.04
CT 97.05
CT 97.06
CT 98.01
CT 98.02
CT 98.04
CT 98.05

CT 137
CT 145
CT 147
CT 148.01
CT 148.03
CT 148.04
CT 149
CT 150
CT 151
CT 152
CT 153.01
CT 153.02
CT 154.03
CT 154.04
CT 156.01
CT 156.02
CT 157.01
CT 157.02
CT 158
CT 159
CT 160
CT 161
CT 162.01
CT 162.02
CT 163
CT 164.01
CT 164.02
CT 165.01
CT 165.02
CT 166.02
CT 166.03
CT 166.05
CT 166.06
CT 166.07
CT 166.08
CT 166.09
CT 166.10
CT 166.11
CT 167.01
CT 167.02

Partial Census Tract:

CT 138—That portion contained within the City of La Mesa.

CT 146—That portion not contained in Assembly District 79.

CT 154.02—That portion within the following blocks: 101, 102, 103, 104, 105, 106, 116, together with that portion of Blocks 115 and 905 within the City of El Cajon.

CT 168.03—That portion contained within the City of El Cajon.

CT 168.05—That portion contained with the City of El Cajon, together with the county land south of El Cajon.

Assembly District 78: Assembly District 78 shall consist of the part of San Diego County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 1
CT 2
CT 3
CT 4
CT 5
CT 6
CT 9
CT 10
CT 11
CT 12
CT 16
CT 17
CT 18
CT 19
CT 21
CT 22
CT 23
CT 24
CT 27.01
CT 27.02
CT 27.03
CT 28.01
CT 28.02
CT 29.02
CT 29.03
CT 43
CT 44
CT 55
CT 56
CT 57
CT 59
CT 60
CT 61
CT 65
CT 66
CT 77
CT 78
CT 79.02
CT 85.04
CT 85.05
CT 85.06
CT 85.07
CT 85.09
CT 85.10
CT 85.11

CT 85.12
CT 85.13
CT 86
CT 87.01
CT 87.02
CT 88
CT 89
CT 90
CT 91.01
CT 91.02
CT 91.03
CT 91.04
CT 91.05
CT 92.01
CT 92.02
CT 93.01
CT 93.03
CT 93.04
CT 94

Partial Census Tracts:

CT 68—That portion not contained in Assembly District 75.

CT 73.01—That portion contained within the following blocks: 101, 102, 103, 104, 107, 108, 109, 110, 201, 202, 203, 204, 207, 208, 209, 210, 301, 302, 303, 305, 306, 307, 401, 402, 404, 405, 406, and 407.

CT 74—That portion not contained in Assembly District 75.

CT 75—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 502, 503, 504, 505, 506, 507, 508, 509, 510, 601, 602, 603, 604, 605, 606, 607, 608, and 609.

CT 76—That portion contained within the following blocks: 101, 102, 103, 106, 107, 110, 111, 114, 115, 116, 117, 120, 121, 122, 123, 124, 125, 126, 127, 203, 204, 205, 206, 207, 208, 211, 212, 213, 214, 215, 216, 219, 220, 221, 222, 223, 224, 227, 228, 229, 302, 303, 304, 307, 308, 309, 310, 311, 312, 315, 316, 317, 318, 319, 320, 323, 324, 325, 326, 327, 401, 402, 403, 406, 407, 408, 409, 410, 411, 414, 415, 416, 417, 418, 419, 422, 423, 424, 425, 426, 427, 503, 504, 505, 507, 508, 509, 510, 513, 514, 515, 516, 517, 518, 521, 522, 523, 524, 525, 604, 605, 606, 607, 608, 613, 614, 616, 617, 621, 622, 901, 908, 912, 913, 914, 919, 921, 922, 923, 924, 925, 930, 931, 932, 933, 934, 936, 937, 938, and 939.

CT 79.01—That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 401, 402, 403, 404, 405, 406, 407, 408, 409, 412, 413, 414, 416, 417, and 418.

CT 80.01—That portion contained within the following blocks: 105, 106, 107, 108, 109, 110, 111, 112, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 403, 404, 412, 413, 414, and 415.

CT 80.02—That portion contained within the following blocks: 119, 120, 121, 122, 123, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, and 217.

Assembly District 79: Assembly District 79 shall consist of the part of San Diego County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 7
CT 8
CT 13
CT 14
CT 15
CT 25.01
CT 25.02
CT 26
CT 27.04
CT 27.05
CT 27.06
CT 30.01
CT 30.02
CT 31.01
CT 31.02
CT 31.03
CT 31.04
CT 31.05
CT 31.07
CT 31.08
CT 32.01
CT 32.02
CT 32.06
CT 33
CT 34.01
CT 34.02
CT 35
CT 36
CT 38
CT 39
CT 40
CT 41
CT 42
CT 45
CT 46
CT 47
CT 48
CT 49
CT 50
CT 51
CT 52
CT 53

CT 54
CT 58
CT 62
CT 63
CT 64
CT 99.02
CT 99.99
CT 114.99
CT 139.01
CT 139.02
CT 139.03
CT 140.01
CT 140.02
CT 141
CT 142
CT 143
CT 144

Partial Census Tracts:

CT 32.03—That portion not contained within Assembly District 80.

CT 32.04—That portion not contained within Assembly District 80.

CT 32.07—That portion not contained within the City of Chula Vista.

CT 134.01—That portion not contained within the City of Chula Vista.

CT 134.03—That portion not contained in Assembly District 76.

CT 138—That portion not contained within the City of La Mesa.

CT 146—That portion contained within the City of Lemon Grove.

Assembly District 80: Assembly District 80 shall consist of the whole County of Imperial, together with the part of San Diego County contained within the following whole and partial census tracts:

Whole Census Tracts:

CT 100.01
CT 100.02
CT 100.03
CT 100.04
CT 100.05
CT 100.06
CT 100.07
CT 101.03
CT 101.04
CT 101.05
CT 101.06
CT 101.07
CT 114
CT 115
CT 116

CT 117
CT 118
CT 119
CT 120
CT 121
CT 122
CT 123.01
CT 123.02
CT 124.01
CT 124.02
CT 125
CT 126
CT 127
CT 128
CT 129
CT 130
CT 131.01
CT 131.02
CT 132.01
CT 132.02
CT 133.01
CT 133.02
CT 133.03
CT 133.04
CT 211

Partial Census Tracts:

CT 32.03—That portion contained within Block 235 within the City of National City.

CT 32.04—That portion contained within the following blocks: 117, 119, 125, 203, 204, 205, 206, and 207; together with the portion of Block 105 within the City of Chula Vista; and together with that portion of Blocks 140, 211, and 212 contained within the City of National City.

CT 32.07—That portion of Blocks 906 and 908 contained within the City of Chula Vista.

CT 133.05—That portion contained within the following blocks: 105, 106, 107, 108, 109, 110, 114, 115, 116, 123, 126, 127, 128, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 145, 146, and 147; together with that portion of Blocks 120 and 124 contained within the City of Chula Vista; and together with the enclosed county land.

CT 134.01—That portion contained within the City of Chula Vista.

CT 136.02—That portion contained within the following blocks: 209 and 305; together with that portion of Block 301 south of Fury Lane and its extension.

CT 213—That portion contained within Enumeration Districts 349, 350, and 351, together with the following blocks: 104, 190, 191, 192, 193, and 196.

SEC. 5. Chapter 3 (commencing with Section 30020) of Division

18 of the Elections Code is repealed.

SEC. 6. Chapter 3 (commencing with Section 30020) is added to Division 18 of the Elections Code, to read:

CHAPTER 3. SENATE DISTRICTS

30020. It is the intent of the Legislature in the enactment of this chapter to implement the provisions of Article XXI of the California Constitution.

If any census tract, block, block group, or enumeration district is omitted, listed more than once, or is only partially provided for, it is the intent of the Legislature that the districts be defined in a manner as to not omit any area of California from a district and to comply with the standard of Article XXI of the California Constitution requiring that districts be reasonably equal.

30020.5. Each house of the Legislature shall be a proper party to, and, if not originally named as a party, shall have the right to intervene in, any action involving the validity or application of any statute which provides for changes in the boundaries of any legislative districts of Members of that particular house.

30021. For purposes of this chapter, references to "CT" or "CTs" shall mean "census tract" and "census tracts", respectively, and references to "ED" or "EDs" shall mean "enumeration district" or "enumeration districts", respectively, as those demographic units are established by the United States Bureau of the Census for the 1980 census as described by maps and publications of the bureau. References to "Block Group" and "Blocks", respectively, refer to those demographic units as established by the United States Census Bureau for the 1980 census as described by maps and publications of the bureau.

In addition, and for the purposes of this chapter, references to "boundaries" or "city limits", respectively, shall refer to the boundaries or limits of the particular city as they existed on April 1, 1980, except as is otherwise expressly provided.

Any maps describing the boundaries of the districts, as contained in this division, which have been prepared by the Legislature or a committee of the Legislature in connection with the enactment of this division may be deposited with the Secretary of State in order to illustrate the boundary lines set forth in this division. Maps deposited with the Secretary of State pursuant to this section may be used by the Secretary of State and the several county clerks for purposes of assisting in the interpretation of this division and to facilitate the Secretary of State and the county clerks in their administrative functions involved in the conduct of elections.

30022. Senate District 1: Senate District 1 shall consist of the whole Counties of El Dorado, Lassen, Modoc, Nevada, Placer, Plumas, Sierra, Siskiyou, Sutter, Trinity, and Yuba; together with that part of the County of Sacramento contained in the following whole and partial census tracts:

CT 80.01
CT 81.03—That portion north of Antelope Road and west of Interstate 80 (I-80).
CT 82.01
CT 82.05
CTs 83 through 91.01
CT 91.03
together with the part of the County of Yolo contained in the following whole and partial census tracts:
CT 101.02—That portion in Enumeration District 914.
CTs 108 through 115
Senate District 2: Senate District 2 shall consist of the whole Counties of Del Norte, Humboldt, Mendocino, and Solano, together with the part of the County of Sonoma contained in the following whole and partial census tracts:
CT 1501
CTs 1506.01 through 1511.
CTs 1512.01 through 1513.01, except those portions of CTs 1512.01, 1512.02 and 1513.01 located within the boundaries of the City of Rohnert Park.
CT 1513.04, except those portions located within the boundaries of the City of Rohnert Park, and that portion north of Keiser Avenue and west of Petaluma Hill Road.
CT 1514
CTs 1529.02 through 1530.03.
CT 1530.04—That portion located within the boundaries of the City of Sebastopol.
CT 1531
CT 1532, except that portion located within the boundaries of the City of Rohnert Park.
CTs 1533 through 1543.
Senate District 3: Senate District 3 shall consist of the County of Marin, together with the part of the City and County of San Francisco contained in the following whole census tracts:
CTs 101 through 171
CT 176.02
CTs 179.01 through 179 99
CTs 203 through 206.
CTs 211 through 214.
CT 301.01
CT 326
CT 327
CTs 351 through 603.
CT 607
Senate District 4: Senate District 4 shall consist of the whole Counties of Butte, Colusa, Glenn, Lake, Napa, Shasta, and Tehama, together with that part of the county of Sonoma contained in the following whole and partial census tracts:
CTs 1502 through 1505.

CTs 1512.01 through 1513.01, those portions of CTs 1512.01, 1512.02, and 1513.01 located within the boundaries of the City of Rohnert Park.

CTs 1513.02 through 1513.03.

CT 1513.04—That portion not within Senate District 2.

CTs 1515.01 through 1529.01.

CT 1530.04, except that portion located within the boundaries of the City of Sebastopol.

CT 1532—That portion located within the boundaries of the City of Rohnert Park.

Senate District 5: Senate District 5 shall consist of the whole Counties of Alpine, Amador, Calaveras, Mono, San Joaquin, and Tuolumne, together with the part of the County of Sacramento situated South of the American River located outside the boundaries of the City of Sacramento, as contained in the following whole and partial census tracts:

CTs 44.01 through 46.01-Those portions of 44.01, 44.02, 45 and 46.01 located outside the boundaries of the City of Sacramento

CT 46.02

CT 47—That portion of CT 47 located outside the boundaries of the City of Sacramento

CT 48—That portion of CT 48 located outside the boundaries of the City of Sacramento

CT 49.01—That portion of CT 49.01 located outside the boundaries of the City of Sacramento

CT 50

CT 51—That portion of CT 51 located outside the boundaries of the City of Sacramento

CT 52.03—That portion of CT 52.03 located outside the boundaries of the City of Sacramento

CT 91.02

CT 91.04

CT 92—That portion of CT 92 located outside the boundaries of the City of Sacramento

CTs 93.01 through 95

CT 96—That portion of CT 96 located outside the boundaries of the City of Sacramento

CTs 97 through 98

together with that part of the County of Yolo not contained in Senate District 1

Senate District 6: Senate District 6 shall consist of the part of the County of Sacramento including all of the City of Sacramento and those other parts of the County of Sacramento contained in the following whole and partial census tracts:

CTs 1 through 43

CT 44.01 through 46.01-Those portions of CT 44.01, 44.02, 45 and 46.01 located within the city limits of the City of Sacramento

CT 47—That portion of CT 47 located within the city limits of the City of Sacramento

CT 48—That portion of CT 48 located within the city limits of the City of Sacramento

CT 49.01—That portion of CT 49.01 located within the city limits of the City of Sacramento

CT 49.02

CT 51—That portion of CT 51 located within the city limits of the City of Sacramento

CTs 52.01 through 52.02

CT 52.03—That portion of CT 52.03 located within the boundaries of the City of Sacramento.

CTs 53 through 79.02.

CTs 80.03 through 81.02.

CT 81.03—That portion not in Senate District 1.

CTs 81.05 through 81.12.

CTs 82.02 through 82.04.

CT 92—That portion of CT 92 located within the city limits of the City of Sacramento

CT 96—That portion of CT 96 located within the city limits of the City of Sacramento

Senate District 7: Senate District 7 shall consist of the part of the County of Contra Costa contained in the following whole and partial census tracts:

CTs 3010 through 3250

CT 3260—That portion of CT 3260 located within the city limits of the City of Pleasant Hill.

CTs 3270 through 3400.01

CT 3400.02—That portion of CT 3400.02 located outside the boundaries of the City of Lafayette

CT 3410—That portion located within the boundaries of the City of Walnut Creek.

CTs 3420 through 3462.02

CT 3470—That portion of CT 3470 located within the city limits of the Cities of Martinez and Pleasant Hill

CT 3511

CTs 3551.01 through 3902

Senate District 8: Senate District 8 shall consist of the part of the City and County of San Francisco contained in the following whole census tracts:

CT 176.01

CTs 177 through 178.

CT 180

CTs 201 through 202

CTs 207 through 210.

CTs 215 through 264.

CTs 301.02 through 314

CTs 328 through 332

CTs 604 through 606.99.

CTs 608 through 610.

together with the part of the County of San Mateo contained in the

following whole and partial census tracts:

CTs 6001 through 6057

CT 6068, except that portion within the city limits of the City of San Mateo

CT 6069, except that portion within the city limits of the City of San Mateo

CT 6135—That portion located within the boundaries of the City of Millbrae.

CT 6136, except that portion within the city limits of the City of Half Moon Bay

Senate District 9: Senate District 9 shall consist of the part of the County of Alameda contained in the following whole and partial census tracts:

CTs 4001 through 4089

CT 4090—That portion generally south of Doolittle Drive.

CTs 4096 through 4286

together with the part of the County of Contra Costa contained in the following whole and partial census tracts:

CT 3260, except that portion of CT 3260 located within the city limits of the City of Pleasant Hill

CT 3400 02—That portion of CT 3400.02 located within the city limits of the City of Lafayette

CT 3410, except that portion located within the boundaries of the City of Walnut Creek.

CT 3470—That portion of CT 3470 located outside the boundaries of the Cities of Martinez and Pleasant Hill

CTs 3480 through 3500

CTs 3512 through 3540

CTs 3910 through 3920

Senate District 10: Senate District 10 shall consist of the part of the County of Alameda contained in the following whole and partial census tracts:

CT 4090—Except that portion located in Senate District 9

CTs 4091 through 4095

CTs 4301 through 4517

Senate District 11: Senate District 11 shall consist of part of the County of San Mateo contained in the following whole and partial census tracts:

CTs 6058 through 6068, except that portion of CT 6068 located outside the boundaries of the City of San Mateo

CT 6069—That portion of CT 6069 located within the city limits of the City of San Mateo

CTs 6070—through 6134

CT 6135, except that portion located within the bondaries of the City of Millbrae

CT 6136—That portion located within the city limits of the City of Half Moon Bay

CTs 6137 through 6138

together with the part of the County of Santa Clara contained in the

following whole and partial census tracts:

CT 5027.02—That portion bounded by Bascom Avenue to the east and Mozart Avenue to the north

CT 5046.01—That portion located within the city limits of the City of Palo Alto

CT 5065.02—That portion located within the city limits of the City of Los Gatos

CT 5067.03—That portion located within the city limits of the City of Los Gatos

CT 5068.01

CT 5068.02—That portion located within the city limits of the City of Los Gatos

CTs 5068.04 through 5079.03, except that portion of CT 5072.04 within the city limits of the City of Campbell and the unincorporated area located east of More Avenue and north of Encinas Court

CT 5079.04—That portion located within the city limits of the City of Saratoga

CT 5080.01

CT 5080.02—That portion located within the city limits of the City of Cupertino

CT 5081.01

CT 5081.02—That portion located within the boundaries of the City of Cupertino.

CT 5082.01—That portion located within the boundaries of the City of Cupertino.

CTs 5083.01 through 5083.04

CTs 5093.01 through 5094.01—those portions located within the city limits of the City of Palo Alto

CT 5099.01—That portion located within the city limits of the City of Los Altos

CTs 5100.01 through 5118, except that portion of CT 5100.01 located within the city limits of the City of Mountain View and unincorporated areas wholly surrounded by the City of Mountain View

CTs 5119.03 through 5119.08.

Senate District 12: Senate District 12 shall consist of the whole County of Stanislaus, together with the part of the County of Santa Clara contained in the following whole and partial census tracts:

CTs 5021.01 and 5026.01—Those portions located within the city limits of the City of Campbell

CTs 5026.02 through 5029.08, except that portion of CT 5027.02 bounded by Bascom Avenue to the east end and Mozart Avenue to the north

CTs 5030.02 through 5030.03

CTs 5032.06 through 5032.08

CT 5033.05

CTs 5033.07 through 5033.10

CT 5035.03

CTs 5041 through 5042

CTs 5043.06 through 5044.09
CT 5044.10—That portion located within the city limits of the City of Milpitas
CTs 5044.11 through 5045.03
CT 5046.02—That portion located within the city limits of the City of Milpitas
CT 5050.02—That portion located within the city limits of the City of Milpitas
CTs 5064.02 and 5065.01—Those portions located within the city limits of the City of Campbell
CTs 5065.02 through 5065.03, except that portion of CT 5065.02 located within the city limits of the City of Los Gatos
CT 5066.01—That portion located within the city limits of the City of Campbell
CT 5066.03
CT 5066.04—That portion located within the city limits of the City of Campbell
CTs 5066.05 through 5067.03, except that portion of CT 5067.03 located within the city limits of the City of Los Gatos
CTs 5068.02 through 5068.03, except that portion of CT 5068.02 located within the city limits of the City of Los Gatos
CT 5072.04—That portion not in Senate District 11
CT 5119.01
CTs 5120.02 through 5120.08
CT 5120.13
CT 5120.16
CT 5127

Senate District 13: Senate District 13 shall consist of the part of the County of Santa Clara contained in the following whole and partial census tracts:

CTs 5001 through 5026.01, except those portions of CTs 5021.01 and 5026.01 located within the city limits of the City of Campbell
CT 5030.01
CTs 5031.01 through 5032.05
CT 5033.04
CT 5033.06
CTs 5034 through 5035.02.
CTs 5035.04 through 5040.
CTs 5043.03 through 5043.05
CT 5044.10, except that portion located within the city limits of the City of Milpitas
CTs 5046.01 through 5065.01, except that portion of CT 5046.01 located within the city limits of the City of Palo Alto, those portions of CTs 5046.02 and 5050.02 located within the city limits of the City of Milpitas, and those portions of CTs 5064.02 and 5065.01 within the city limits of the City of Campbell
CT 5066.01, except that portion located within the city limits of the City of Campbell
CT 5066.04, except that portion located within the city limits of the

City of Campbell

CT 5079.04, except that portion located within the city limits of the City of Saratoga

CT 5080.02, except that portion located within the city limits of the City of Cupertino

CT 5081.02—That portion located outside the boundaries of the City of Cupertino

CT 5082.01—That portion located outside the boundaries of the City of Cupertino

CT 5082.02

CTs 5084.01 through 5099.02, except those portions of CT 5093.01, CT 5093.02, and CT 5094.01 located within the city limits of the City of Palo Alto and that portion of CT 5099.01 located within the city limits of the City of Los Altos

CT 5100.01—That portion located within the city limits of the City of Mountain View and the unincorporated area wholly surrounded by the City of Mountain View

Senate District 14: Senate District 14 shall consist of the whole Counties of Madera, Mariposa, Merced, and San Luis Obispo, together with the part of the County of Fresno contained in the following whole census tracts:

CTs 1 through 3

CT 4—That portion located generally west of the right-of-way of the Southern Pacific Railroad (between "G" and "H" Streets)

CTs 5 through 11

CT 12—That portion bounded by East California Avenue to the north, South Cedar Avenue to the east, East Jensen Avenue to the south; and that portion of unincorporated area south of East California Avenue, north of East Church Avenue, west of South Rowell Avenue and east of South Cedar Avenue

CT 15—That portion located generally west of the right-of-way of the Southern Pacific Railroad

CTs 18 through 23

CTs 35 through 42.01

CT 42.03

CTs 47.01 through 48

CTs 74 through 84.02

together with the part of the County of Monterey contained in the following whole census tracts:

CT 110

CTs 113 through 116

together with the part of the County of Santa Barbara contained in the following whole and partial census tracts:

CT 20.01

CT 20.03—That portion of CT 20.03 located within the city limits of the City of Santa Maria and unincorporated area not located within Senate District 18

CTs 21 through 23.01

CT 23.02—That portion of CT 23.02 located within the city limits

of the City of Santa Maria
CT 24.01
CT 24.02—That portion of CT 24.02 located within the city limits of the City of Santa Maria

Senate District 15: Senate District 15 shall consist of the whole County of Tulare, together with the part of the County of Fresno contained in the following whole and partial census tracts:
CT 4—That portion not in Senate District 14
CT 12—That portion not in Senate District 14
CTs 13 through 14.04
CT 15—That portion not in Senate District 14
CTs 16 through 17
CTs 24 through 34
CT 42.02
CTs 43 through 46
CTs 49 through 73

Senate District 16: Senate District 16 shall consist of the whole Counties of Kern and Kings, together with the part of the County of Los Angeles contained in the following whole and partial census tracts:
CTs 4602 through 4604
CTs 4609 through 4611
CTs 4615 through 4624
CT 9001
CT 9002—That portion located within the Edwards Air Force Base boundary
CT 9100, except that portion located within the city limits of the City of Palmdale and the unincorporated area surrounded by the City of Palmdale (west of the city limits of the City of Palmdale)
CTs 9109 through 9110
CTs 9300 through 9301, except those portions of CT 9300 located within the city limits of the Cities of Glendora and La Verne and except that portion of CT 9301 west of the Angeles Crest Highway (from the northern Pasadena City Limits to the Angeles Forest Highway), together with the part of the County of San Bernardino contained in the following whole and partial census tracts:
CTs 90.01 through 90.02
CTs 93 through 96.01
CT 96.02—That portion within the city limits of the City of Barstow
CT 96.03

Senate District 17: Senate District 17 shall consist of the whole Counties of San Benito and Santa Cruz, together with the part of the County of Monterey contained in the following whole census tracts:
CTs 1 through 109
CTs 111 through 112
CTs 117 through 143.02
together with the part of the County of Santa Clara contained in the following whole and partial census tracts:

CTs 5120.09 through 5120.12
CTs 5120.14 through 5120.15
CTs 5121 through 5126

Senate District 18: Senate District 18 shall consist of the part of the County of Los Angeles County contained in the following whole and partial census tracts:

CTs 1342.02 through 1343.03
CTs 1345 through 1346
CTs 1349.02 through 1352.02
CTs 1371.02 through 1372.02
CTs 1373.03 through 1374.02
CT 1375.02
CT 8001
CTs 8004 through 8005

together with the part of Santa Barbara County contained within the following whole and partial census tracts:

CTs 1.01 through 17.02
CT 20.03—That portion of CT 20.03 located outside the boundaries of the City of Santa Maria and generally west of Blosser Road and north of Solomon Road
CT 23.02—That portion of CT 23.02 located outside the boundaries of the City of Santa Maria
CT 24.02—That portion of CT 24.02 located outside the boundaries of the City of Santa Maria
CTs 25 through 30.05

together with the part of Ventura County contained in the following whole and partial census tracts:

CTs 2 through 11
CTs 12.03 through 12.05
CTs 14 through 15.02
CTs 21.01 through 26
CTs 28.01 through 50
CT 51—That portion located within the boundaries of the City of Oxnard
CT 56—That portion generally south of Hueneme Road, Camarillo State Hospital boundary, and west of Potrero Road
CT 73—That portion outside the city limits of the City of Thousand Oaks
CT 76, except that portion located within the boundaries of the City of Simi Valley

Senate District 19: Senate District 19 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:

CT 1061.01
CT 1061.02—That portion generally northeasterly of the Foothill Freeway
CTs 1062 through 1063
CT 1064—That portion generally north of Polk Street
CT 1065—That portion not contained in Senate District 20

CTs 1066.02 through 1066.04
CTs 1081 through 1082
CTs 1112.01 through 1113.02
CTs 1131 through 1134.02
CT 1151.01—That portion not contained in Senate District 20
CT 1151.02
CTs 1152.01 and 1152.02—Those portions not contained in Senate District 20
CT 1153.01—That portion not contained in Senate District 20
CT 1154.01
CT 1173.02—That portion south of Parthenia Street
CT 1173.03—That portion in Block 117 and Block Groups 2
CT 1341.01, except that portion in Senate District 20
CT 1341.02—That portion not contained in Senate District 20
CT 1342.01
CTs 1344.01 through 1344.02
CTs 1347 through 1349.01
CTs 1352.03 through 1371.01
CTs 1373.01 through 1373.02
CT 1375.01
CT 1393—That portion west of Vanalden Avenue
CT 1394—That portion not in Senate District 20 or 22
CTs 8002 through 8003.22
CT 9012.02
CT 9200.01
CTs 9200.21 through 9200.23
CTs 9201 through 9203.23 together with the part of the County of Santa Barbara contained in the following whole census tracts:
CTs 18 through 19.04
CT 20.02
CTs 20.05 through 20.06
together with the part of the County of Ventura contained in the following whole and partial census tracts:
CT 1
CTs 12.01 through 12.02
CT 13
CTs 16.01 through 20
CT 27
CT 51—That portion located outside the boundaries of the City of Oxnard
CTs 52.01 through 72.02, except that portion of CT 56 located within Senate District 18
CT 73—That portion within the city limits of the City of Thousand Oaks
CTs 74.01 through 75.03
CT 76—That portion located within the boundaries of the City of Simi Valley
CTs 77 through 85
Senate District 20: Senate District 20 shall consist of the part of the

County of Los Angeles contained in the following whole and partial census tracts:

CTs 1041.01 through 1048

CT 1061.02—That portion not in Senate District 19

CT 1064—That portion generally south of Polk Street

CT 1065—That portion generally south of Bledsoe Street and Herrick Avenue

CT 1066.01

CTs 1067 through 1068

CTs 1091 through 1111.02

CTs 1114.01 through 1114.02

CT 1151.01—That portion bounded by Plummer Street, Louise Avenue, Nordhoff Street, and Balboa Boulevard

CT 1152.01—That portion east of Reseda Boulevard and south of Superior Street

CT 1152.02—That portion east of Reseda Boulevard

CT 1153.01—That portion south of Nordhoff Street

CT 1153.02

CTs 1154.02 through 1173.01

CTs 1173.02 and 1173.03—Those portions not in Senate District 19

CTs 1174.01 through 1222

CTs 1223 through 1249.02

CT 1251—That portion north of Magnolia Boulevard

CT 1252—That portion east of the Hollywood Freeway

CT 1253

CT 1254—That portion north of Camarillo Street

CT 1255—That portion contained in blocks 101 through 106, 308, and 402 through 409

CT 1256—That portion north of Addison Street

CTs 1271.01 through 1331.02

CT 1341.01, except that portion of CT 1341.01 south of Arminta Street

CT 1341.02—That portion east of Oso Avenue and north of Lanark Street

CTs 1391 through 1392

CT 1393—That portion contained in Blocks 101, 102, and 104 through 110

CT 1394—That portion contained in Blocks 101 through 103, 109 through 111, 113 through 116, 201 through 203

CT 1395

CT 1396—That portion contained in Blocks 123 and 124

CT 1397.02—That portion contained in Block Group 4

CT 1398.01—That portion not contained in Senate District 22

CT 1434.01

CTs 3201 through 3203

Senate District 21: Senate District 21 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:

CTs 1011 through 1034

CTs 3001 through 3025.02
CTs 4300.01 through 4311
CT 4312—That portion within the boundaries of the City of Monrovia
CTs 4313 through 4320
CT 4321.01 through 4321.02, except those portions of CTs 4321.01 and 4321.02 located within the boundaries of the City of El Monte
CT 4323—That portion within the city limits of the City of Temple City
CT 4325—That portion within the city limits of the City of Arcadia
CTs 4600 through 4601
CTs 4605.01 through 4608
CTs 4612 through 4614
CTs 4625 through 4800.01
CT 4800.02—That portion outside the city limits of the City of San Gabriel
CT 4801.01
CT 4812.01
CT 9002—That portion not in Senate District 16
CTs 9003 through 9012.01
CT 9100—That portion not in Senate District 16
CTs 9101 through 9108.02
CT 9200.03
CT 9200.24 through 9200.25
CT 9301—That portion not in Senate District 16
CT 9302

Senate District 22: Senate District 22 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:

CT 1251—That portion south of Magnolia Boulevard
CT 1252—That portion west of the Hollywood Freeway
CTs 1254 through 1256-Those portions of CTs 1254, 1255, and 1256 not in Senate District 20
CTs 1375.03 through 1376
CT 1393—That portion not contained in Senate District 19 or 20
CT 1394—That portion contained within Blocks 104 through 108, 112, 204 through 215, and 301 through 307
CT 1396—That portion not in Senate District 20
CT 1397.01
CT 1397.02—That portion not in Senate District 20
CT 1397.03
CT 1398.01—That portion in Blocks 101, 102, 106 through 108, 112 through 114, and 123 through 127
CTs 1398.02 through 1433
CTs 1434.02 through 1436.02
CTs 1438.01 through 1439.02
CT 2149
CTs 2164 through 2166
CT 2168

CTs 2183 through 2184
CTs 2198 through 2199
CTs 2611.01 through 2733
CTs 2736 through 2737
CT 2741
CTs 2751.01 through 2752
CTs 2754 through 2755
CTs 7006 through 7028.03
CT 7030.01, except that portion outside the boundaries of the City of Culver City

Senate District 23: Senate District 23 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:

CT 1437
CTs 1851 through 1922
CT 1923—That portion bounded by June Street, Melrose Avenue, Gower Street, Clinton Street, Wilcox Avenue, Rosewood Avenue, Rossmore Avenue, Beverly Boulevard, and back to June Street
CT 1924—That portion north of Clinton Street
CTs 1925 through 1957
CT 1958—That portion not in Senate District 24
CTs 1959 through 1975
CT 1991—That portion located generally north of Mission Road
CTs 1992 through 1999
CTs 2111 through 2114
CTs 2118 through 2121
CTs 2123 through 2126
CTs 2142 through 2148
CT 2151, except that portion of CT 2151 east of Cochran Avenue and that portion of CT 2151 between Cochran Avenue and Burnside Avenue.
CTs 2162 through 2163
CT 2167
CTs 2169 through 2171
CTs 3101 through 3200
CTs 7001 through 7005

Senate District 24: Senate District 24 shall consist of part of the County of Los Angeles contained in the following whole and partial census tracts:

CTs 1811 through 1838
CT 1958—That portion bounded by Silver Lake Boulevard, State Highway 101 (Hollywood Freeway), Benton Way and Temple Street
CTs 1976 through 1977
CT 1991—That portion located generally south of Mission Road
CTs 2011 through 2098
CT 2122
CTs 2132 through 2134
CTs 2211 through 2212
CT 2216.01

CT 2217.01
CTs 2241 through 2245
CTs 2247 through 2263
CTs 4805 through 4807.02
CTs 5303 through 5319, except that portion of CT 5304 located within the city limits of the City of Monterey Park and except those portions of CT 5318 and CT 5319 located within the city limits of the City of Montebello
CTs 5323.01 through 5324, except that portion of CT 5323.01 located within the city limits of the City of Bell and that portion of CT 5324 located within the city limits of the City of Huntington Park
CTs 5333 through 5334
CT 5337
CTs 5339 through 5342

Senate District 25: Senate District 25 shall consist of the whole County of Inyo, together with the part of the county of Los Angeles contained in the following whole and partial census tracts:
CTs 4002.01 through 4017.01, except those portions of CT 4013.02 and CT 4017.01 located within the city limits of the City of Pomona
CTs 4018 through 4020
CT 4036—That portion located within the city limits of the City of San Dimas
CTs 4037.01 through 4045
CT 4054—That portion located within the city limits of the City of Covina
CTs 4057 through 4061.02
CT 9300—That portion located within the city limits of the Cities of Glendora and La Verne
together with the part of the County of San Bernardino contained in the following whole and partial census tracts:
CTs 8.01 through 9
CT 20, except that portion located within the city limits of the City of Fontana
CT 72—That portion located within the city limits of the City of Loma Linda
CTs 73 through 74.01
CT 75
CT 76—That portion located within the city limits of the City of Redlands
CTs 78 through 89.02
CTs 91.01 through 92
CT 96.02, except that portion located within the city limits of the City of Barstow
CTs 97.01 through 107

Senate District 26: Senate District 26 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:
CTs 4046 through 4047
CT 4048, except that portion located within the boundaries of the

City of West Covina
CTs 4049 through 4052
CTs 4069 through 4073, except that portion of CT 4069 located within the city limits of the City of West Covina
CTs 4075 through 4079, except that portion of CT 4079 located within the city limits of the City of West Covina
CT 4081.32
CTs 4082.02 through 4084.01
CT 4084.02—That portion located within the boundaries of Rose Hills Memorial Park
CTs 4085.01 through 4085.02
CT 4086.01
CTs 4086.23 through 4086.24
CT 4312, except that portion located within the boundaries of the City of Monrovia
CTs 4321.01 through 4321.02—Those portions located within the city limits of the City of El Monte
CTs 4322 through 4340, except those portions of CT 4323 located within the city limits of the City of Temple City and except those portions of CT 4325 located within the City limits of the City of Arcadia
CT 4800.02—That portion located within the city limits of the city of San Gabriel
CTs 4801.02 through 4804
CTs 4808.01 through 4811
CTs 4812.02 through 4828
CT 5003, except that portion located within the boundaries of the City of Whittier
CTs 5004.01 through 5009
CT 5012—That portion located outside the city limits of the City of Whittier
CT 5015.01—That portion located within the boundaries of Rose Hills Memorial Park
CT 5016—That portion located within the boundaries of Rose Hills Memorial Park
CTs 5024 through 5026 02
CTs 5300.01 through 5302.02
CT 5304—That portion located within the city limits of the City of Monterey Park
CTs 5318 through 5319—Those portions of CT 5318 and CT 5319 located within the city limits of the City of Montebello
CTs 5320 through 5322
Senate District 27: Senate District 27 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:
CT 2131
CTs 2213 through 2215.02
CT 2216.02
CTs 2217.02 through 2227

CT 2246
CTs 2264 through 2328
CTs 2371 through 2372
CTs 2391 through 2392
CTs 2394 through 2395
CTs 2397 through 2402
CTs 2404 through 2412
CTs 2414 through 2416
CTs 2423 through 2427
CT 5323.01—That portion located within the city limits of the City of Bell
CT 5324—That portion located within the city limits of the City of Huntington Park
CTs 5325 through 5332
CTs 5335 through 5336
CTs 5338.01 through 5338.02
CTs 5343 through 5352
CTs 5355 through 5362
CTs 5407 through 5408
CTs 5411 through 5413
CTs 5416.01 through 5416.02
CT 5420
CTs 5422 through 5430
CT 5432, except that portion south of Greenleaf Boulevard

Senate District 28: Senate District 28 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:

CTs 1923 through 1924—Except those portions within Senate District 23
CTs 2115 through 2117
CTs 2127 through 2129
CT 2141
CT 2151—That portion not in Senate District 23
CTs 2152 through 2161
CTs 2172 through 2182
CTs 2185 through 2197
CTs 2201 through 2202
CTs 2341 through 2364
CTs 2373 through 2386
CT 2393
CT 2396
CT 2403
CTs 2734 through 2735
CTs 2738 through 2739
CT 2742
CTs 2753.01 through 2753.02
CTs 2756 through 2781
CTs 6001 through 6025.03
CTs 6027 through 6028

CTs 6037.01 through 6041
CTs 7029 through 7029.99
CT 7030.01—That portion outside the boundaries of the City of Culver City
CTs 7030.02 through 7032

Senate District 29: Senate District 29 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:

CT 2947.99
CT 2949.99
CTs 2951.99 through 2962.99
CTs 2967 through 2976.99
CT 5552.02
CTs 5712 through 5713
CTs 5718 through 5720.02
CTs 5734 through 5750.02
CTs 5756 through 5762
CTs 5765 through 5768
CTs 5770 through 5991
CTs 6200 through 6707.02

Senate District 30: Senate District 30 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:

CT 2413
CTs 2421 through 2422
CTs 2428 through 2431
CTs 2911 through 2947
CTs 2948 through 2949
CT 2951
CTs 2963 through 2966
CTs 5353 through 5354
CTs 5400 through 5406
CTs 5409.01 through 5410.02
CTs 5414 through 5415
CTs 5417 through 5418
CT 5421.01
CT 5421.02
CT 5431
CT 5432—That portion south of Greenleaf Boulevard
CTs 5433.01 through 5440
CTs 5535 through 5539
CTs 5701 through 5706, except that portion of CT 5706 located within the boundaries of the City of Lakewood
CTs 5715.01 through 5717, except that portion of CT 5715.01 located within the boundaries of the City of Lakewood
CTs 5721 through 5733
CTs 5751 through 5755
CTs 5763 through 5764
CT 5769

CT 6026
CTs 6029 through 6036
CT 6099

Senate District 31: Senate District 31 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:

CT 4033.02

CTs 4033.12 through 4036, except that portion of CT 4033.13 located within the boundaries of the City of Pomona, and except that portion of CT 4036 located within the boundaries of the City of San Dimas

CT 4048—That portion located within the city limits of the City of West Covina

CTs 4053 through 4056, except that portion of CT 4054 located within the city limits of the City of Covina

CTs 4062 through 4068

CT 4069—That portion located within the city limits of the City of West Covina

CT 4074

CT 4079—That portion located within the city limits of the City of West Covina

CTs 4080.01 through 4081.31

CT 4082.01

CT 4084.02, except that portion located within the boundaries of Rose Hills Memorial Park

CT 4085.03

CTs 4086.21 through 4086.22

CTs 4086.25 through 4087.02

CTs 5001 through 5002.02

CT 5003—That portion located within the city limits of the City of Whittier

CT 5010—That portion located within the city limits of the City of Whittier

CT 5012, except that portion located outside the boundaries of the City of Whittier

CTs 5013 through 5014

CT 5015.01, except that portion located within the boundaries of Rose Hills Memorial Park

CT 5015.02

CT 5016, except that portion located within the boundaries of Rose Hills Memorial Park

CTs 5017 through 5020.02

CT 5021, except that portion located outside the boundaries of the City of Whittier

CT 5029.02—That portion located within the city limits of the City of Whittier

CT 5031.01—That portion located within the city limits of the City of La Mirada

CT 5033.01

CTs 5034.01 through 5034.02
CT 5035.01—That portion located within the city limits of the City of Whittier
CTs 5035.02 through 5041.01, except that portion of CT 5041.01 located within the city limits of the City of Santa Fe Springs
together with the part of Orange County contained in the following whole and partial census tracts:
CTs 15.01 through 15.02
CT 15.03, except that portion contained within the city limits of the City of Fullerton
CT 15.04
CTs 117.07 through 117.13, except those portions of CTs 117.07, 117.08, 117.09, and 117.11 contained within the city limits of the City of Fullerton
CTs 117.15 through 218.10
CT 218.11, except that portion contained within the city limits of the City of Anaheim
CT 218.12
CT 219.07
CTs 320.02 through 320.08
CT 320.09, except that portion contained within the city limits of the City of San Juan Capistrano
CTs 320.11 through 320.15
CT 423.03, except that portion contained within the city limits of the City of San Juan Capistrano
CTs 423.07 through 423.09
CTs 524.04 through 524.05
CTs 524.07 through 524.11
CT 525.05
CT 525.10
CT 626.08
CTs 626.21 through 626.23
Senate District 32: Senate District 32 shall consist of the part of the County of Orange contained in the following whole and partial census tracts:
CTs 11.01 through 14.04
CT 15.03—That portion contained within the city limits of the City of Fullerton
CTs 15.05 through 116.02, except that portion of CT 18.01 contained within the city limits of the City of Buena Park
CTs 117.07 through 117.09—Those portions contained within the city limits of the City of Fullerton
CT 117.11—That portion contained within the city limits of the City of Fullerton
CTs 740.03 through 754.05
CT 761.03
CT 863.01
CTs 864.04 through 864.05
CTs 865.01 through 866.01

CT 867.01
CT 868.01, except that portion contained within the city limits of the City of Buena Park
CT 868.02 through 868.03, except that portion of CT 868.03 contained within the city limits of the City of Buena Park
CTs 869.01 through 871.01
CT 873
CTs 878.01 through 878.06
CTs 879.01 through 889.03
CTs 890.01 through 992.01
CTs 992.02 through 992.03, except those portions contained within the city limits of the City of Fountain Valley
CTs 1100.04 through 1100.05
CT 1101.13—That portion contained within the city limits of the City of Stanton
CTs 1102.01 through 1102.02—Those portions contained within the city limits of the City of Anaheim
CT 1102.03—That portion contained within the city limits of the Cities of Anaheim and Stanton
CT 1104.02—That portion contained within the city limits of the City of Anaheim
CT 1106.05
Senate District 33: Senate District 33 shall consist of the part of the County of Los Angeles contained in the following whole and partial census tracts:
CT 5010—That portion not in Senate District 31
CT 5021—That portion located outside the boundaries of the City of Whittier
CTs 5022 through 5023
CTs 5027 through 5032.02, except that portion of CT 5029.02 located within the city limits of the City of Whittier, and except that portion of CT 5031.01 located within the city limits of the City of La Mirada
CT 5033.02
CT 5035.01—That portion located outside the city limits of the City of Whittier
CT 5041.01—That portion located within the city limits of the City of Sante Fe Springs
CT 5041.02
CTs 5500 through 5534
CTs 5540 through 5552.01
CTs 5700.01 through 5700.03
CTs 5706—That portion located within the city limits of the City of Lakewood
CTs 5707.01 through 5711.02
CT 5714
CT 5715.01—That portion located within the city limits of the City of Lakewood
together with the part of the County of Orange contained in the

following whole and partial census tracts:

CT 18.01—That portion contained within the city limits of the City of Buena Park

CT 868.01—That portion contained within the city limits of the City of Buena Park

CT 868.03—That portion contained within the city limits of the City of Buena Park

CTs 1100.01 through 1100.03

CTs 1100.06 through 1100.07—Those portions contained within the city limits of the City of Los Alamitos

CTs 1100.10 through 1100.11

CT 1100.13

CTs 1101.01 through 1101.12

CT 1101.13—That portion located outside the boundaries of the City of Stanton

CT 1101.14 through 1106.04, except those portions of CTs 1102.01, 1102.02, 1102.03, and 1104.02 contained within Senate District 32

Senate District 34: Senate District 34 shall consist of the part of Los Angeles County contained in the following whole and partial census tracts:

CT 4013.02—That portion contained within the city limits of the City of Pomona

CT 4017.01—That portion within the city limits of the City of Pomona

CT 4017.02

CTs 4021.01 through 4032

CT 4033.11

CT 4033.13—That portion within the city limits of the City of Pomona

CT 4088

together with the part of San Bernardino County contained in the following whole and partial census tracts:

CTs 1 through 7

CTs 10 through 19

CT 20—That portion located within the city limits of the City of Fontana

CTs 21 through 72, except that portion of CT 72 located within the city limits of the City of Loma Linda

CT 74.02

CTs 76 through 77, except that portion of CT 76 within the city limits of the City of Redlands

Senate District 35: Senate District 35 shall consist of parts of the County of Orange contained in the following whole and partial census tracts:

CT 117.14

CT 218.11—That portion contained within the city limits of the City of Anaheim

CTs 218.13 through 219.06

CTs 219.08 through 219.09

CT 524.06
CTs 525.01 through 525.04
CTs 525.06 through 525.09
CTs 626.10 through 626.11
CTs 626.14 through 626.15
CTs 631.01 through 633, except those portions of CTs 631.03 and 633 contained within the city limits of the City of Newport Beach
CTs 636.01 through 636.02, except those portions of CTs 636.01 and 636.02 contained within the city limits of the City of Newport Beach
CTs 637 through 639.08
CTs 755.04 through 761.02
CTs 762.01 through 762.08
CTs 863.03 through 864.02
CTs 864.06 through 864.07
CT 866.02
CT 867.02
CTs 871.02 through 872
CTs 874.01 through 877.04
CTs 889.04 through 889.05
CTs 992.02 through 992.04—Those portions of CTs 992.02 and 992.03 contained within the city limits of the City of Fountain Valley
CTs 992.11 through 992.14
CTs 992.16 through 992.17
CTs 992.22 through 992.35
CTs 994.02 through 994.07
CTs 994.10 through 994.13
CTs 996.04 through 997.03

Senate District 36: Senate District 36 shall consist of the part of the County of Riverside contained in the following whole and partial census tracts:

CTs 301 through 426
CTs 427.04 through 431, except that portion of CT 427.04 located within the city limits of the City of Hemet
CT 435.01—That portion located outside the boundaries of the City of Hemet
CTs 435.02 through 436
CTs 438.02 through 443
CT 444—That portion located within the boundaries of the City of Palm Springs
CTs 445.01 through 462

Senate District 37: Senate District 37 shall consist of the whole County of Imperial, together with the part of the County of Orange contained in the following whole census tracts:

CTs 320.09 through 320.10, except that portion of CT 320.09 not contained within the city limits of the City of San Juan Capistrano
CTs 421.01 through 422.02
CT 423.03—That portion contained within the city limits of the City of San Juan Capistrano
CTs 423.05 through 423.06

CTs 423.10 through 423.14
CTs 626.04 through 626.07
CTs 626.12 through 626.13
CTs 626.16 through 626.20
CTs 627 through 630.08
CT 631.03—That portion contained within the city limits of the City of Newport Beach
CT 633—That portion contained within the city limits of the City of Newport Beach
CTs 634 through 635
CTs 636.01 through 636.03, except those portions of CTs 636.01 and 636.02 not contained within the city limits of the City of Newport Beach
CT 992.15
CTs 992.19 through 992.20
CTs 992.36 through 993.05
CT 994.08
CTs 994.14 through 995.08
CTs 996.01 through 996.03
CTs 998.01 through 998.03
CTs 999.01 through 999.04
CTs 1100.06 through 1100.08, except those portions of CTs 1100.06 and 1100.07 contained within the city limits of the City of Los Alamitos
CT 1100.12
together with the part of the County of Riverside contained in the following whole and partial census tracts:
CTs 427.02 through 427.03
CT 427.04—That portion located within the boundaries of the City of Hemet
CTs 432 through 435.01, except that portion of CT 435.01 outside the boundaries of the City of Hemet
CT 437
CT 444, except that portion located within the boundaries of the City of Palm Springs
together with the part of the County of San Diego contained in the following whole and partial census tracts:
CTs 187 through 191.02
CT 192.01—That portion outside of the boundaries of the City of Vista
CT 192.02, except those portions within the boundaries of the Cities of Vista and San Marcos
CTs 209.01 through 210
Senate District 38: Senate District 38 shall consist of the part of the County of San Diego contained in the following whole 2nd partial census tracts:
CTs 76 through 85.10
CTs 85.12 through 85.13
CTs 91.01 through 91.04

CT 94
CTs 170.05 through 170.06
CTs 170.12 through 186.05
CT 192.01—That portion within the boundaries of the City of Vista
CT 192.02—Those portions within the boundaries of the Cities of Vista and San Marcos
CTs 193 through 207.01
CT 207.03—That portion within the boundaries of the City of Escondido
CT 207.04

Senate District 39: Senate District 39 shall consist of the part of the County of San Diego contained in the following whole and partial census tracts:

CTs 1 through 7
CTs 9 through 12
CTs 19 through 20.02
CT 28.01
CT 29.01
CT 57
CTs 59 through 61
CTs 65 through 75
CT 85.11
CTs 86 through 90
CTs 91.05 through 93.04
CTs 95.01 through 99.01
CT 100.07—That portion located outside the boundaries of the City of San Diego
CTs 106.01 through 113
CTs 135.01 through 137
CT 138—That portion within the boundaries of the City of La Mesa
CT 145
CT 146—That portion located outside of the boundaries of the City of Lemon Grove
CTs 147 through 169
CTs 170.07 through 170.11
CT 207.03—That portion located outside the boundaries of the City of Escondido
CT 208
CTs 211 through 213

Senate District 40: Senate District 40 shall consist of the part of the County of San Diego contained in the following whole and partial census tracts:

CT 8
CTs 13 through 18
CTs 21 through 27.06
CT 28.02
CTs 29.02 through 56
CT 58

CTs 62 through 64
CTs 99.02 through 100.06
CT 100.07—That portion located within the city limits of the City of San Diego
CTs 101.03 through 105
CTs 114 through 134.04
CT 138—That portion not in Senate District 39
CTs 139.01 through 144
CT 146—That portion located in the city limits of the City of Lemon Grove

SEC. 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 8. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the Secretary of State and the several county clerks may have sufficient time to prepare for the 1984 elections, and in order to comply at the earliest possible time with the California Supreme Court ruling, ordering the Legislature to adopt an essentially different plan in time for the 1984 elections, it is necessary that this act take effect immediately.

CHAPTER 9

An act to amend Section 94311 of the Education Code, relating to private postsecondary education, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor January 19, 1983 Filed with Secretary of State January 19, 1983.]

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

SECTION 1. Section 94311 of the Education Code is amended to read:

94311. No postsecondary educational institution may offer courses of education leading to educational, professional, technological, or vocational objectives unless such institution has been approved or authorized by the superintendent as meeting at least one of the following requirements:

(a) A hospital licensed under the provisions of Article 1 (commencing with Section 1250) of Chapter 2 of Division 2 of the Health and Safety Code and issues diplomas only in connection with the operation of a hospital.

(b) An institution which is accredited, approved, or licensed by a state board or agency as a school, or any person or school certified for flight instruction by the Federal Aviation Administration, or its successor agency, and which issues or confers diplomas in the profession, vocation or occupation controlled by the board or agency accrediting, approving, or licensing it. However, this subdivision shall not be construed as authorizing the issuing of a diploma which is not customarily granted for the training given and which is limited to the profession, vocation or occupation controlled by the accrediting, approving, or licensing board or agency. Authorization to operate pursuant to this subdivision shall only be denied if the institution does not possess a valid accreditation, approval, or licensure by a California state agency, or if the person or school providing flight instruction does not possess a valid certification issued by the Federal Aviation Administration, or its successor agency. Except for institutions approved by the Federal Aviation Administration which offer flight education and instruction, institutions seeking approval or authorization pursuant to this subdivision shall be exempt from providing the application materials specified in subdivision (a) of Section 94330. Institutions seeking approval or authorization pursuant to this subdivision shall be exempt from the requirements of subdivision (e) of Section 94330. Institutions or persons approved by the Federal Aviation Administration, or its successor agency, which offer flight education and instruction shall submit to the Superintendent of Public Instruction copies of those materials required pursuant to Sections 141.51 through 141.57 of Title 14 of the Code of Federal Regulations and those materials described in subdivision (a) of Section 94330 which are used by the institution or individual.

(c) An institution which at the time of the issuance of a diploma, has accreditation of the institution, program or specific course of study upon which the diploma is based by a national or applicable regional accrediting agency recognized by the United States Department of Education, and the administrative head of the institution has filed with the superintendent an annual affidavit verifying that the institution, program, or each course of study for which a diploma is issued is so accredited.

(d) An institution which has been approved by the superintendent as meeting the following minimum criteria:

(1) That the quality and content of each course or program of instruction, training, or study are such as may reasonably and adequately achieve the stated objective for which the course or program is offered.

(2) There is in the institution adequate space, equipment, instructional material, and instructor personnel to provide training of the quality needed to attain the object of that particular course.

(3) Every instructor and administrator holds an applicable and valid Certificate of Authorization for Service issued by the superintendent in the specified competence area in which the

individual will serve. Certificates may be issued to administrators upon the superintendent's determination that the applicant is of good moral character and to instructors upon the superintendent's determination that the applicant is of good moral character and possesses adequate academic, experiential, and professional qualifications.

(4) The institution maintains written records of the student's previous education and training with recognition where applicable.

(5) A copy of the course outline, schedule of tuition, fees and other charges, regulations pertaining to tardiness, absence, grading policy and rules of operation and conduct is given to students upon enrollment.

(6) The institution maintains adequate records to show attendance, progress, and grades.

(7) The institution complies with all local city, county, municipal, state, and federal regulations such as fire, building, and sanitation codes. The superintendent may require evidence of compliance.

(8) The institution does not exceed enrollment which the facilities and equipment of the institution can reasonably handle.

(9) The institution's administrator, director, owner, and instructors are of good reputation and character.

(10) Application for such approval shall be made in writing on proper application forms. Pending final approval, the superintendent may issue a provisional approval upon submission of the complete application.

Within 30 days following receipt of application, and prior to the issuance of either provisional or final approval, a representative of the superintendent shall personally inspect the school and verify the application. If the visitation does not occur within 30 days following receipt of the application, the institution shall automatically receive a provisional approval. Within 30 days following visitation, either final approval, provisional approval, or denial of approval shall be given to each application. If the superintendent does not act within 30 days following visitation, the application from the institution will automatically receive approval. If all information is in order, the superintendent may authorize provisional approval. A provisional approval shall not exceed a period of one year, subject to prior termination or conversion to annual approval. A provisional approval may not be extended.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Chapter 1099 of the Statutes of 1981 (SB 272), among other things, exempted institutions seeking approval or authorization pursuant to subdivision (b) of Section 94311 of the Education Code from providing the application materials specified in subdivision (a) of Section 94330 of the Education Code, and from the requirements of subdivisions (e) and (g) of Section 94330 of the Education Code.

However, these exemptions were removed by Chapter 1299 of the Statutes of 1982 (AB 2356).

In order to alleviate unduly burdensome requirements on institutions seeking approval pursuant to subdivision (b) of Section 94311 of the Education Code, it is necessary that this act take effect immediately.

CHAPTER 10

An act to add Section 1656.2 to the Civil Code, to add Section 13337.5 to, to add and repeal Chapter 3 (commencing with Section 17281) of Part 4 of Division 4 of Title 2 of, and to add and repeal Part 5 (commencing with Section 17300) of Division 4 of Title 2 of, the Government Code, to amend Sections 6459, 6471, 6471.5, 6472, 6472.5, 6477, 6482, 6513, 6591, 6907, 6936, 19269, 25951, 25952, and 25954 of, to add Sections 100.6, 6051.5, 6051.6, 6051.7, 6051.8, 6201.5, 6201.6, 6201.7, 6201.8, and 25954.2 to, and to repeal Sections 25566 and 25951.5 of, the Revenue and Taxation Code, to amend Sections 803, 1111, 1113, 1129, 1184, and 13021 of the Unemployment Insurance Code, to amend Section 13004 of the Welfare and Institutions Code, to amend Section 4 of Chapter 322 of the Statutes of 1982, to amend Section 19.13 of Chapter 326 of the Statutes of 1982, and to amend Section 5 of Chapter 502 of the Statutes of 1982, relating to fiscal affairs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 17, 1983 Filed with Secretary of State February 17, 1983]

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

SECTION 1. (a) It is the purpose of this act to enact legislation to reflect an agreement between the Legislature and the Governor to achieve the following objectives:

(1) No deficit for the 1982–83 fiscal year shall be reduced or eliminated by making significant reductions in the expenditures proposed in the Governor's Budget for the 1983–84 fiscal year.

(2) Any borrowing to finance the deficit for the 1982–83 fiscal year shall be repaid no later than the last day of the 1983–84 fiscal year.

(3) A temporary tax increase shall be imposed if revenues are otherwise anticipated to be insufficient to finance the expenditures proposed in the Governor's Budget for the 1983–84 fiscal year and to repay any amounts borrowed in the 1982–83 fiscal year.

(b) Nothing in this act shall be construed to limit the Governor or the Legislature from carrying out their respective constitutional and statutory duties.

SEC. 2. Section 1656.2 is added to the Civil Code, to read:

1656.2. In addition to the reimbursement schedules prepared in

accordance with Section 1656.1, the State Board of Equalization shall prepare and make available for inspection and duplication or reproduction a sales tax reimbursement schedule which shall be identical with the following tables up to the amounts specified therein:

5½ percent

Price	*Tax*
.01-.10	.00
.11-.25	.01
.26-.45	.02
.46-.62	.03
.63-.79	.04
.80-.97	.05
.98-1.15	.06

5¾ percent

Price	Tax
.01-.10	.00
.11-.23	.01
.24-.40	.02
.41-.58	.03
.59-.76	.04
.77-.95	.05
.96-1.13	.06

6¾ percent

Price	Tax
.01-.10	.00
.11-.20	.01
.21-.34	.02
.35-.48	.03
.49-.64	.04
.65-.80	.05
.81-.96	.06
.97-1.11	.07

7 percent

Price	Tax
.01-.10	.00
.11-.20	.01
.21-.33	.02
.34-.47	.03
.48-.62	.04
.63-.76	.05
.77-.91	.06
.92-1.07	.07

7¼ percent

Price	Tax
.01-.10	.00
.11-.20	.01
.21-.32	.02
.33-.46	.03
.47-.60	.04
.61-.74	.05
.75-.88	.06
.89-1.03	.07

7½ percent

Price	Tax
.01-.10	.00
.11-.19	.01
.20-.31	.02
.32-.43	.03
.44-.57	.04
.58-.71	.05
.72-.85	.06
.86-.99	.07
1.00-1.13	.08

SEC. 3. Section 13337.5 is added to the Government Code, to read:

13337.5. The annual Budget Act shall not provide for projected expenditures in excess of projected revenues. Further, it is the intention of the Legislature that in the event, after enactment of the Budget Act, revised estimates of expected revenues or expenditures, or both, show that expenditures will exceed estimated revenues,

expenditures should be reduced or revenues increased, or both, to ensure that actual expenditures do not exceed actual revenues for that fiscal year.

SEC. 4. Chapter 3 (commencing with Section 17281) is added to Part 4 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 3. TEMPORARY BORROWING

17281. On or after the date on which the budget for any fiscal year has been adopted, the state may borrow money pursuant to this chapter, and the borrowing shall be represented by a note or other short-term instrument issued pursuant to this chapter. Money so borrowed may be used and expended by the state for any General Fund purpose for which the state is authorized to expend moneys during the fiscal year.

17282. The note shall be issued pursuant to a resolution authorizing the issuance thereof adopted by the committee provided for by Section 17283. Notes authorized to be issued may be issued from time to time as provided in the resolution. The resolution shall set forth the form and manner of execution and offering of the note or notes. Upon written request of the Governor, the committee may authorize the Treasurer, upon the terms and conditions as may be fixed by the committee, to issue notes, on a negotiated or a competitive bid basis.

17283. The committee authorized to issue notes under this chapter shall be the Pooled Money Investment Board.

17284. Any note issued under this chapter may be negotiable, may be payable to order or to bearer, may be in any denomination, shall be payable not later than the last day of the fiscal year for which the budget has been adopted, and shall not be renewable beyond that date, and may bear interest at a rate to be determined by the committee and payable as provided therein. The notes may contain a provision for the payment of interest on the principal of the notes after maturity at the rate provided in the note. The notes shall not bear interest on unpaid interest either before or after maturity.

17285. Any revenues in the General Fund during the current fiscal year are available for the payment of all notes and the interest thereon until they are fully paid and discharged.

17286. Notwithstanding Section 17285, any note issued pursuant to this chapter shall be a general obligation of the state, and, to the extent not paid from the revenues pledged for the payment thereof, shall be paid with the interest thereon from moneys in the General Fund or any other moneys of the state lawfully available therefor.

17287. The aggregate amount of notes, as determined from their principal amount, issued pursuant to this chapter and outstanding at any one time shall not exceed 10 percent of the General Fund revenues as set forth in the annual report by the Controller to the Governor required by Section 12460. The annual report referred to in this section shall be the most recent report submitted by the

Controller to the Governor as of the commencement of the fiscal year in which the notes may be issued.

17288. All notes issued by the state pursuant to this chapter are legal investments for any of the following:

(a) Trust funds.

(b) Funds of all insurers.

(c) Funds of savings and loan associations.

(d) Funds of all banks, including any commercial banks, savings banks and trust companies.

(e) Funds of all state agencies, cities, counties, cities and counties or other public agencies or corporations.

17289. Notes issued under this chapter are acceptable and may be used as security for the faithful performance of any public or private trust or obligation or for the performance of any act, including the use of the notes by banks or savings and loans as security for deposits of funds of the state or of any county, municipal or public corporation, district, political subdivision, or state agency.

17290. Any state or local agency that is authorized to invest funds in its treasury in securities which are legal investments for savings banks may invest the funds in notes of the state issued under this chapter.

17291. Whenever the Treasurer deems that it will increase the salability or the price of the notes to obtain, prior to or after sale, a legal opinion as to the validity of the notes from attorneys other than the Attorney General, the Treasurer may obtain a legal opinion elsewhere.

17292. The provisions of Section 16724.5 are hereby made applicable for purposes of paying expenses of the Treasurer in having the notes prepared and in advertising their sale or their prior redemption and for payment for legal services pursuant to Section 17291.

17293. There is hereby appropriated from any unapplied money, as defined in Section 17220, in the General Fund for the purposes of this chapter, an amount as will equal the following:

(a) The sum annually as will be necessary to pay the principal of and the interest on the notes issued and sold pursuant to the provisions of this chapter, as the principal and interest become due and payable.

(b) The sum as is necessary to carry out the provisions of Section 17292, which sum is appropriated without regard to fiscal years.

17294. This chapter shall remain in effect only until June 30, 1985, and on that date is repealed unless a later enacted statute deletes or extends that date.

SEC. 5. Part 5 (commencing with Section 17300) is added to Division 4 of Title 2 of the Government Code, to read:

PART 5. STATE OF CALIFORNIA NOTES

17300. Whenever the Controller determines that moneys in the General Fund, after allowing for internal borrowing from other funds, are, or are expected to be, insufficient for the payment of all appropriations by the Legislature which are required to be paid in the then current fiscal year out of the General Fund, the Controller, based upon his estimate of the probable income to the General Fund during the then current fiscal year and the probable dates of receipt thereof, may draw a demand or demands against appropriations made from the General Fund to be paid in the then current fiscal year prior to the receipt of the income, and deliver the same to the Treasurer. The Treasurer shall register the same for nonpayment and notify the Controller. The Controller may then authorize the Treasurer to issue and sell notes of the State of California representing the registered demand or demands. Notes shall be issued only to raise funds in an amount sufficient to satisfy the Controller's registered demand or demands.

17301. Notes authorized to be issued may be sold by the Treasurer from time to time as directed by the Controller. The notes may be sold on a negotiated or a competitive bid basis as the Treasurer shall deem advisable The Treasurer shall authorize the issuance of notes with various fixed-maturity dates. Upon the maturity date of the notes, the Treasurer shall pay the notes from moneys then in the General Fund.

17302. The issuance of any notes pursuant to this part shall be authorized by a resolution adopted by the Treasurer with the approval of the Controller, and (a) may be negotiable, (b) may be payable to order or to bearer, (c) may be in any denomination, (d) shall be payable not later than the last day of the fiscal year in which the note has been issued and shall not be renewable beyond that date, and (e) may bear interest up to a maximum rate to be determined by the Treasurer.

17303. Upon receipt of the purchase price of the notes, the Treasurer shall notify the Controller that funds for the payment of the registered demand or demands are in the State Treasury and available for the payment of claims represented by the registered demand or demands. The Controller may thereupon proceed to draw warrants against appropriations lawfully made by the Legislature to be paid in the fiscal year and represented by the registered demand or demands. Upon the payment in full of the notes representing the registered demand or demands, the registered demand or demands shall be canceled.

17304. Any revenues in the General Fund during the current fiscal year are available for the payment of all notes and the interest thereon until the same shall be fully paid and discharged. The notes, together with the interest thereon, shall be payable exclusively from moneys in the General Fund in the fiscal year of issuance, but not excepting recourse to internal borrowing from other funds in the

event insufficient moneys are available from the General Fund.

17305. The aggregate amount of notes, as determined from their principal amount, issued pursuant to this part and outstanding at any one time, shall not exceed 10 percent of the General Fund revenues as set forth in the annual report by the Controller to the Governor required by Section 12460. The annual report referred to in this section shall be the most recent report submitted by the Controller to the Governor as of the commencement of the fiscal year in which the notes may be issued. Notes may be issued in excess of the 10 percent limitation pursuant to a statute adopted by two-thirds of the membership of each house of the Legislature.

17306. All notes issued pursuant to this part by the state are legal investments for any of the following:

(a) Trust funds.

(b) Funds of insurers.

(c) Funds of savings and loan associations.

(d) Funds of banks.

(e) Funds of state agencies, cities, counties, cities and counties or other public agencies or corporations.

17307. Notes issued under this part are acceptable and may be used as security for the faithful performance of any public or private trust or obligation or for the performance of any act, including the use of notes by banks as security for deposits of funds of the state and its agencies, or of any city, county, city and county, or other public agency or corporation.

17308. Any state or local agency that is authorized to invest funds in its treasury in securities which are legal investments for savings banks may invest the funds in notes of the state issued under this part.

17309. Whenever the Treasurer deems that it will increase the salability of the notes to obtain, prior to or after sale, a legal opinion as to the validity of the notes from attorneys other than the Attorney General, the Treasurer may obtain a legal opinion elsewhere.

17310. There is hereby appropriated from the General Fund any unapplied money, as defined in Section 17220, in any amounts necessary to pay the interest on, and the principal of, any notes issued and sold during the fiscal year in which the notes are issued pursuant to this part, as the notes become due and payable.

17311. There is hereby appropriated from the General Fund without regard to fiscal years, one million dollars ($1,000,000) which shall be set aside in a special account entitled State Notes Expense Account, and shall be used to pay expenses incurred by the Treasurer in providing for the preparation, sale, issuance, advertising, legal services, or any other act which, in the discretion of the Treasurer, is necessary to carry out the purposes of this part. This account shall operate as a revolving fund and whenever notes are sold, out of the first money realized from their sale, there shall be redeposited in the account any amounts that have been expended for the above purposes, which amounts may be used for the same purposes and

repaid in the same manner whenever additional sales are made.

17312. This part shall remain in effect only until June 30, 1985, and on that date is repealed.

SEC. 6. Section 100.6 is added to the Revenue and Taxation Code, to read:

100.6. (a) For the 1982–83 fiscal year, to the extent funds are available, the Controller shall reduce the amount of remaining local assistance funds (as defined in Section 100.5, less trailer coach fees, plus the amount of local agency reimbursement funds computed by Section 26482, for the remainder of the fiscal year, as estimated by the Department of Finance) which would otherwise be transmitted to cities and counties. Reduction in payments amounts for cities and counties shall be determined by subdivisions (b) and (c), respectively.

(b) Reduction in payments amounts for cities shall be determined as follows:

(1) The Department of Finance shall compute a share of fifty-four million dollars ($54,000,000) for each city based on its proportionate share of remaining local assistance funds for cities.

(2) The Department shall compute a share of thirty-six million dollars ($36,000,000) for each city based on its proportionate share of 1982–83 subvention reductions for cities, as determined by Section 11005.75. The amount shall be reduced, if necessary, so that when added to the 1982–83 subvention reduction, the sum does not exceed the 1982–83 net bailout (as determined in paragraph (6) of subdivision (b) of Section 11005.75). The amount shall also be reduced, if necessary, so that when divided by the population of the city the result does not exceed one dollar and ninety cents ($1.90) per capita.

(3) The Department of Finance shall compute the total of the paragraph (2) amount plus the greater of zero or the 1982–83 net bailout minus three times the sum of the 1982–83 subvention reduction plus the paragraph (2) amount.

(4) The reduction in payments amounts for cities shall be the lesser of the paragraph (1) amount or the paragraph (3) amount, except that if the paragraph (3) amount exceeds the paragraph (1) amount by more than twenty thousand dollars ($20,000) the reduction in payments amounts shall be the paragraph (3) amount less twenty thousand dollars ($20,000).

(c) The reduction in payments amounts for counties shall be determined as follows: The Department of Finance shall compute a share of nineteen million dollars ($19,000,000) for each county based on its proportionate share of 1982–83 subvention reductions for counties, as determined by Section 11005.85. The amount shall be reduced, if necessary, so that when added to the 1982–83 subvention reduction the sum does not exceed the 1982–83 net bailout (as determined in paragraph (6) of subdivision (b) of Section 11005.85). The amount shall also be reduced, if necessary, so that when divided by the population of the county the result does not exceed

seventy-eight cents ($0.78) per capita.

(d) The Controller shall withhold all payments of local assistance funds to each city or county until the reduction in payments amounts has been withheld.

(e) A city and county shall be considered a county for purposes of this section.

(f) Notwithstanding any other provisions of law, the amounts which are withheld from cities and counties by this section shall be transferred from their respective funds or accounts to the unappropriated surplus of the General Fund.

SEC. 7. Section 6051.5 is added to the Revenue and Taxation Code, to read:

6051.5. (a) Notwithstanding Section 6051, for the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 5¾ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after the operative date of this subdivision.

(b) Subdivision (a) shall become operative on November 1, 1983, if the determination referred to in subdivision (c) of Section 6051.6 is forwarded to the State Board of Equalization

(c) The rate prescribed by subdivision (a) shall cease to be operative as of May 1, 1984.

(d) Notwithstanding Section 6051, for the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 4¾ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after the first day following the date subdivision (a) ceases to be operative pursuant to subdivision (c). The rate prescribed by this subdivision shall cease to be operative as of November 1, 1984.

(e) Notwithstanding Section 6051, for the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 3¾ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after the first day following the date the rate prescribed by subdivision (d) ceases to be operative, unless the Governor finds by October 15, 1984, that the reduction in revenues received caused by the reduction of the rate to 3¾ percent will have an adverse impact on the operation of state and local governments because, taking into account the current and projected cash flow and the usual economic indicators, the projected expenditures for the 1984–85 fiscal year will exceed projected revenues for that year. If the Governor makes that finding, notwithstanding Section 6051, for the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 4¼ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after the first day following the date subdivision (d) ceases to be operative.

(f) On January 15, 1985, and the 15th day of each month

thereafter, the Director of Finance shall determine and certify to the State Board of Equalization whether an amount of revenues equal to or in excess of the revenues attributable to the increase in the tax imposed by subdivision (a) and subdivision (a) of Section 6201.5 over the rate specified by Sections 6051 and 6201 has been foregone, or will be foregone by the end of the month in which the determination is made, by virtue of the reduction of the tax rate imposed by subdivision (e) and subdivision (e) of Section 6201.5 compared to the rate imposed by Sections 6051 and 6201.

(g) The rate prescribed by subdivision (e) shall cease to be operative on the last day of the month in which certification specified in subdivision (f) is made to the State Board of Equalization.

(h) The rate prescribed by Section 6051 shall be applicable on and after the first day following the date subdivision (e) ceases to be operative pursuant to subdivision (g).

(i) If the tax prescribed by subdivision (a) of Section 6051.7 is imposed pursuant to Section 6051.8, the rate prescribed by subdivision (a) shall cease to the operative, and the provisions of subdivisions (c) to (h), inclusive, shall not be applicable and the provisions of Section 6051.7 shall be applicable.

SEC. 7.5. Section 6051.6 is added to the Revenue and Taxation Code, to read:

6051.6. (a) For the sole purpose of making the determination required by this section, in addition to the monthly cash receipts report, the Controller shall prepare a cash receipts report for actual cumulative (fiscal year to date) General Fund receipts as of the 10th day of each month.

(b) The following cumulative estimated General Fund receipts shall be used to compare to the actual receipts of the Controller:

October 10, 1983: $5,843,000,000

The cumulative estimated General Fund receipts set forth in this subdivision are based on the Governor's Budget as introduced January 10, 1983. If the Legislature modifies the revenues or timing of cash receipts as proposed in the Governor's Budget, the figure set forth shall be adjusted as provided for in this paragraph. The Department of Finance shall prepare a modified cash receipts report that reflects any adjustments necessary to comply with any change in revenues or timing of cash receipts pursuant to the enactment of legislation, or pursuant to the May revision of 1983–84 fiscal year revenue estimates by the Department of Finance, to the extent the May revision reflects an increase in projected 1983–84 revenues based on improved economic conditions. Any adjustment to the cumulative estimated General Fund receipts shall be transmitted to the Joint Legislative Budget Committee and the Controller at least 30 days prior to their official adoption for use in this subdivision.

(c) No later than October 12, 1983, the Controller shall prepare and certify to its accuracy a cash receipts report in accordance with subdivision (a). The Controller shall determine whether the actual

cumulative cash receipts of the General Fund are more than one hundred fifty million dollars ($150,000,000) below the cumulative estimated cash receipts for the same period as determined pursuant to subdivision (b). The determination shall be forwarded to the Director of Finance for review and comment. Following that review and comment, the Director of Finance shall by October 15, 1983, certify and forward his certification to the State Board of Equalization. The tax imposed by subdivision (a) of Section 6051.5 shall become operative if the Director of Finance certifies that actual cumulative cash receipts of the General Fund are more than one hundred fifty million dollars ($150,000,000) below the estimated cash receipts for the same period.

SEC. 8. Section 6051.7 is added to the Revenue and Taxation Code, to read:

6051.7. (a) Notwithstanding Section 6051, for the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 5¾ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after the operative date of this subdivision.

(b) Subdivision (a) shall become operative on February 1, 1984, if the certification referred to in subdivision (b) of Section 6051.8 is forwarded to the State Board of Equalization.

(c) On March 15, 1984, and the 15th day of each month thereafter, the Director of Finance shall determine and certify to the State Board of Equalization whether an amount of revenues has been collected, or will be collected by the end of the month in which the determination is made, by virtue of the increase in the rate imposed by subdivision (a) and subdivision (a) of Section 6201.7 over the rate specified by Sections 6051 and 6201, which is equal to or in excess of the amount by which the estimated amount of the Contingency Reserve for Economic Uncertainties and the Special Reserve Account, created by Secton 62 of the act adding this section to this code, on June 30, 1984, as shown in the 1984–85 Governor's Budget, is less than one hundred million dollars ($100,000,000).

(d) The rate prescribed by subdivision (a) shall cease to be operative on the first day of the month following the determination by the Director of Finance that an amount of revenues has been collected, or will be collected by the end of the month in which the determination is made, by virtue of the increase in the rate imposed by subdivision (a) and subdivision (a) of Section 6201.7 over the rate prescribed by Sections 6051 and 6201, which is equal to or in excess of the amount by which the estimated amount of the Contingency Reserve for Economic Uncertainties and the Special Reserve Account, created by Section 62 of the act adding this section to this code, on June 30, 1984, as shown in the 1984–85 Governor's Budget, is less than one hundred million dollars ($100,000,000).

(e) Notwithstanding Section 6051, for the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 4¾ percent of the gross receipts of any retailer

from the sale of all tangible personal property sold at retail in this state on and after the first day following the date subdivision (a) ceases to be operative pursuant to subdivision (d). The rate prescribed by this subdivision shall cease to be operative as of February 1, 1985.

(f) Notwithstanding Section 6051, for the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 3¾ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after the first day following the date the rate prescribed by subdivision (e) ceases to be operative, unless the Governor finds by January 15, 1985, that the reduction in revenues received caused by the reduction of the rate to 3¾ percent will have an adverse impact on the operation of state and local governments because, taking into account the current and projected cash flow and the usual economic indicators, the projected expenditures for the 1984–85 fiscal year will exceed projected revenues for that year If the Governor makes that finding, notwithstanding Section 6051, for the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 4¼ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after the first day following the date subdivision (e) ceases to be operative.

(g) On March 15, 1985, and the 15th day of each month thereafter, the Director of Finance shall determine and certify to the State Board of Equalization whether an amount of revenues equal to or in excess of the revenues attributable to the increase in the tax imposed by subdivision (a), subdivision (a) of Section 6051.5, subdivision (a) of Section 6201.5, and subdivision (a) of Section 6201.7 over the rate specified by Sections 6051 and 6201 has been foregone, or will be foregone by the end of the month in which the determination is made, by virtue of the reduction of the tax rate imposed by subdivision (f) and subdivision (f) of Section 6201.7 compared to the rate imposed by Sections 6051 and 6201.

(h) The rate prescribed by subdivision (f) shall cease to be operative on the last day of the month in which certification specified in subdivision (g) is made to the State Board of Equalization.

(i) The rate prescribed by Section 6051 shall be applicable on and after the first day following the date subdivision (f) ceases to be operative pursuant to subdivision (h).

SEC. 9. Section 6051.8 is added to the Revenue and Taxation Code, to read:

6051.8. (a) No later than January 10, 1984, the Director of Finance shall determine and certify to the State Board of Equalization whether the estimated amount of the Contingency Reserve for Economic Uncertainties and the Special Reserve Account, created by Section 62 of the act adding this section to this code, on June 30, 1984, as shown in the 1984–85 Governor's Budget,

is greater than or equal to one hundred million dollars ($100,000,000).

(b) The tax imposed by subdivision (a) of Section 6051.7 shall become operative only if the Director of Finance certifies to the State Board of Equalization that the estimated amount of the Contingency Reserve for Economic Uncertainties and the Special Reserve Account, created by Section 62 of the act adding this section to this code, on June 30, 1984, as shown in the 1984–85 Governor's Budget is less than one hundred million dollars ($100,000,000).

(c) The tax imposed by subdivision (a) of Section 6051.7 shall become operative on the first day of the month following the certification pursuant to subdivision (b).

SEC. 10. Section 6201.5 is added to the Revenue and Taxation Code, to read:

6201.5. (a) Notwithstanding Section 6201, an excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after the operative date of this subdivision, for storage, use, or other consumption in this state at the rate of 5¾ percent of the sales price of the property on and after the operative date of this subdivision.

(b) Subdivision (a) shall become operative on November 1, 1983, if the determination referred to in subdivision (c) of Section 6201.6 is forwarded to the State Board of Equalization.

(c) The rate prescribed by subdivision (a) shall cease to be operative as of May 1, 1984.

(d) Notwithstanding Section 6201, an excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after the first day following the date subdivision (a) ceases to be operative pursuant to subdivision (c), for storage, use, or other consumption in this state at the rate of 4¾ percent of the sales price of the property on and after the first day following the date subdivision (a) ceases to be operative pursuant to subdivision (c). The rate prescribed by this subdivision shall cease to be operative as of November 1, 1984.

(e) Notwithstanding Section 6201, an excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after the first day following the date the rate prescribed by subdivision (d) ceases to be operative, for storage, use, or other consumption in this state at the rate of 3¾ percent of the sales price of the property on and after the first day following the date the rate prescribed by subdivision (d) ceases to be operative, unless the Governor finds by October 15, 1984, that the reduction in revenues received caused by the reduction of the rate to 3¾ percent will have an adverse impact on the operation of state and local governments because, taking into account the current and projected cash flow and the usual economic indicators, the projected expenditures for the 1984–85 fiscal year will exceed projected revenues for that year. If the Governor makes that finding, notwithstanding Section 6201, an excise tax is hereby imposed on the storage, use, or other consumption in this state of

tangible personal property purchased from any retailer on or after the first day following the date subdivision (d) ceases to be operative, for storage, use, or other consumption in this state at the rate of 4¼ percent of the sales price of the property on and after the first day following the date subdivision (d) ceases to be operative.

(f) On January 15, 1985, and the 15th day of each month thereafter, the Director of Finance shall determine and certify to the State Board of Equalization whether an amount of revenues equal to or in excess of the revenues attributable to the increase in the tax imposed by subdivision (a) and subdivision (a) of Section 6051.5 over the rate specified by Sections 6051 and 6201 has been foregone, or will be foregone by the end of the month in which the determination is made, by virtue of the reduction of the tax rate imposed by subdivision (e) and subdivision (e) of Section 6051.5 compared to the rate imposed by Sections 6051 and 6201.

(g) The rate prescribed by subdivision (e) shall cease to be operative on the last day of the month in which certification specified in subdivision (f) is made to the State Board of Equalization.

(h) The rate prescribed by Section 6201 shall be applicable on and after the first day following the date subdivision (e) ceases to be operative pursuant to subdivision (g).

(i) If the tax prescribed by subdivision (a) of Section 6201.7 is imposed pursuant to Section 6201.8, the rate prescribed by subdivision (a) shall cease to be operative, and the provisions of subdivisions (c) to (h), inclusive, shall not be applicable and the provisions of Section 6201.7 shall be applicable.

SEC. 10.5. Section 6201.6 is added to the Revenue and Taxation Code, to read:

6201.6. (a) For the sole purpose of making the determination required by this section, in addition to the monthly cash receipts report, the Controller shall prepare a cash receipts report for actual cumulative (fiscal year to date) General Fund receipts as of the 10th day of each month.

(b) The following cumulative estimated General Fund receipts shall be used to compare to the actual receipts of the Controller:

October 10, 1983: $5,843,000,000

The cumulative estimated General Fund receipts set forth in this subdivision are based on the Governor's Budget as introduced January 10, 1983. If the Legislature modifies the revenues or timing of cash receipts as proposed in the Governor's Budget, the figure set forth shall be adjusted as provided for in this paragraph. The Department of Finance shall prepare a modified cash receipts report that reflects any adjustments necessary to comply with any changes in revenues or timing of cash receipts pursuant to the enactment of legislation, or pursuant to the May revision of 1983–84 fiscal year revenue estimates by the Department of Finance, to the extent the May revision reflects an increase in projected 1983–84 revenues based on improved economic conditions. Any adjustment to the

cumulative estimated General Fund receipts shall be transmitted to the Joint Legislative Budget Committee and the Controller at least 30 days prior to their official adoption for use in this subdivision.

(c) No later than October 12, 1983, the Contoller shall prepare and certify to its accuracy a cash receipts report in accordance with subdivision (a). The Controller shall determine whether the actual cumulative cash receipts of the General Fund are more than one hundred fifty million dollars ($150,000,000) below the cumulative estimated cash receipts for the same period as determined pursuant to subdivision (b). The determination shall be forwarded to the Director of Finance for review and comment. Following that review and comment, the Director of Finance shall, by October 15, 1983, certify and forward his certification to the State Board of Equalization. The tax imposed by subdivision (a) of Section 6201.5 shall become operative if the Director of Finance certifies that actual cumulative cash receipts of the General Fund are more than one hundred fifty million dollars ($150,000,000) below the estimated cash receipts for the same period.

SEC. 11. Section 6201.7 is added to the Revenue and Taxation Code, to read:

6201.7. (a) Notwithstanding Section 6201, an excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after the operative date of this subdivision, for storage, use, or other consumption in this state at the rate of 5¾ percent of the sales price of the property on and after the operative date of this subdivision.

(b) Subdivision (a) shall become operative on February 1, 1984, if the certification referred to in subdivision (b) of Section 6201.8 is forwarded to the State Board of Equalization.

(c) On March 15, 1984, and the 15th day of each month thereafter, the Director of Finance shall determine and certify to the State Board of Equalization whether an amount of revenues has been collected, or will be collected by the end of the month in which the determination is made, by virtue of the increase in the rate imposed by subdivision (a) and subdivision (a) of Section 6051.7 over the rate specified by Sections 6051 and 6201, which is equal to or in excess of the amount by which the estimated amount of the Contingency Reserve for Economic Uncertainties and the Special Reserve Account, created by Section 62 of the act adding this section to this code, on June 30, 1984, as shown in the 1984–85 Governor's Budget, is less than one hundred million dollars ($100,000,000).

(d) The rate prescribed by subdivision (a) shall cease to be operative on the first day of the month following the determination by the Director of Finance that an amount of revenues has been collected, or will be collected by the end of the month in which the determination is made, by virtue of the increase in the rate imposed by subdivision (a) and subdivision (a) of Section 6051.7 over the rate prescribed by Sections 6051 and 6201, which is equal to or in excess of the amount by which the estimated amount of the Contingency

Reserve for Economic Uncertainties and the Special Reserve Account, created by Section 62 of the act adding this section to this code, on June 30, 1984, as shown in the 1984–85 Governor's Budget, is less than one hundred million dollars ($100,000,000).

(e) Notwithstanding Section 6201, an excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after the first day following the date subdivision (a) ceases to be operative pursuant to subdivision (d), for storage, use, or other consumption in this state at the rate of 4¾ percent of the sales price of the property on and after the first day following the date subdivision (a) ceases to be operative pursuant to subdivision (d). The rate prescribed by this subdivision shall cease to be operative as of February 1, 1985.

(f) Notwithstanding Section 6201, an excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after the first day following the date the rate prescribed by subdivision (e) ceases to be operative, for storage, use, or other consumption in this state at the rate of 3¾ percent of the sales price of the property on and after the first day following the date the rate prescribed by subdivision (e) ceases to be operative, unless the Governor finds by January 15, 1985, that the reduction in revenues received caused by the reduction of the rate to 3¾ percent will have an adverse impact on the operation of state and local governments because, taking into account the current and projected cash flow and the usual economic indicator, the projected expenditures for the 1984–85 fiscal year will exceed projected revenues for that year. If the Governor makes that finding, notwithstanding Section 6201, an excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after the first day following the date the rate prescribed by subdivision (e) ceases to be operative, for storage, use, or other consumption in this state at the percentage rate of 4¼ percent of the sales price of the property on and after the first day following the date the rate prescribed by subdivision (e) ceases to be operative.

(g) On March 15, 1985, and the 15th day of each month thereafter, the Director of Finance shall determine and certify to the State Board of Equalization whether an amount of revenues equal to or in excess of the revenues attributable to the increase in the tax imposed by subdivision (a), subdivision (a) of Section 6051.5, subdivision (a) of Section 6201.5, and subdivision (a) of Section 6051.7 over the rate specified by Sections 6051 and 6201 has been foregone, or will be foregone by the end of the month in which the determination is made, by virtue of the reduction of the tax rate imposed by subdivision (f) and subdivision (f) of Section 6051.7 compared to the rate imposed by Sections 6051 and 6201.

(h) The rate prescribed by subdivision (f) shall cease to be operative on the last day of the month in which certification specified in subdivision (g) is made to the State Board of

Equalization.

(i) The rate prescribed by Section 6201 shall be applicable on and after the first day following the date subdivision (f) ceases to be operative pursuant to subdivision (h).

SEC. 12. Section 6201.8 is added to the Revenue and Taxation Code, to read:

6201.8. (a) No later than January 10, 1984, the Director of Finance shall determine and certify to the State Board of Equalization whether the estimated amount of the Contingency Reserve for Economic Uncertainties and the Special Reserve Account, created by Section 62 of the act adding this section to this code, on June 30, 1984, as shown in the 1984–85 Governor's Budget, is greater than or equal to one hundred million dollars ($100,000,000).

(b) The tax imposed by subdivision (a) of Section 6201 7 shall become operative only if the Director of Finance certifies to the State Board of Equalization that the estimated amount of the Contingency Reserve for Economic Uncertainties and the Special Reserve Account, created by Section 62 of the act adding this section to this code, on June 30, 1984, as shown in the 1984–85 Governor's Budget is less than one hundred million dollars ($100,000,000).

(c) The tax imposed by subdivision (a) of Section 6201.7 shall become operative on the first day of the month following the certification pursuant to subdivision (b).

SEC. 13. Section 6459 of the Revenue and Taxation Code is amended to read:

6459. The board for good cause may extend for not to exceed one month the time for making any return or paying any amount required to be paid under this part. The extension may be granted at any time provided a request therefor is filed with the board within or prior to the period for which the extension may be granted.

Any person to whom an extension is granted shall pay, in addition to the tax, interest at the adjusted annual rate and by the method established pursuant to Section 19269 from the date on which the tax would have been due without the extension until the date of payment.

SEC. 14. Section 6471 of the Revenue and Taxation Code is amended to read:

6471. (a) Except as provided in subdivision (b), upon written notification by the board, any person whose estimated measure of tax liability under this part averages seventeen thousand dollars ($17,000) or more per month, as determined by the board, shall, without regard to the measure of tax in any one month, make the following prepayments:

(1) In the first, third, and fourth calendar quarters, the person shall prepay not less than 90 percent of the amount of state and local tax liability for each of the first two monthly periods of each quarterly period.

(2) In the second calendar quarter, the person shall prepay not less than 95 percent of the amount of state and local tax liability for

each of the first two monthly periods of the calendar period.

Persons engaged in their present business during all of the corresponding quarterly period of the preceding year, or persons who are successors to a business which was in operation during all of that quarterly period, may satisfy the above prepayment requirement by payment of an amount equal to one-third of the measure of tax liability reported on the return or returns filed for that quarterly period of the preceding year multiplied by the state and local tax rate in effect during the month for which the prepayment is made. Prepayment shall be made during the quarterly period designated by the board and during each succeeding quarterly period until further notified in writing by the board.

(b) Notwithstanding subdivision (a), upon written notification by the board, any person whose estimated measure of tax liability under this part averages two hundred thousand dollars ($200,000) or more per month, as determined by the board, shall, without regard to the measure of tax in any one month, make the following prepayments:

(1) In the first, third, and fourth calendar quarters, the person shall prepay not less than 90 percent of the amount of state and local tax liability for each of the first two monthly periods of each quarterly period.

(2) In the second calendar quarter, the person shall prepay a first prepayment of 95 percent of the amount of state and local tax liability for the first monthly period of each quarterly period and a second prepayment of either:

(i) 95 percent of the amount of state and local tax liability for the second monthly period of the quarterly period plus 95 percent of the amount of state and local tax liability for the first 15 days of the third monthly period of the quarterly period; or

(ii) 95 percent of the amount of state and local tax liability for the second monthly period of the quarterly period plus 50 percent of 95 percent of the amount of the liability for the second monthly period of the quarterly period.

Persons engaged in their present business during all of the corresponding quarterly period of the preceding year, or persons who are successors to a business which was in operation during all of that quarterly period, may satisfy the above prepayment requirements for the first, third, and fourth calendar quarters by payment of an amount equal to one-third of the measure of tax liability reported on the return or returns filed for that quarterly period of the preceding year multiplied by the state and local tax rate in effect during the month for which the prepayment is made.

The persons may satisfy their prepayment requirements for the second calendar quarter by making a first prepayment of an amount equal to one-third of the measure of tax liability reported, and a second prepayment of an amount equal to one-half of the measure of tax liability reported, on the return or returns filed for that quarterly period of the preceding year multiplied by the state and

local tax rate in effect during the month for which the prepayment is made.

Prepayments shall be made during the quarterly periods designated by the board and during each succeeding quarterly periods until further notified in writing by the board.

(c) This section shall become operative on May 1, 1983, only if Section 6471.5 is repealed as of that date.

SEC. 15. Section 6471.5 of the Revenue and Taxation Code is amended to read:

6471.5. (a) Upon written notification by the board, any person whose estimated measure of tax liability under this part averages seventeen thousand dollars ($17,000) or more per month, as determined by the board, shall, without regard to the measure of tax in any one month make prepayments as prescribed in this section.

(1) In the first, third, and fourth calendar quarters, the person shall prepay not less than 90 percent of the amount of state and local tax liability for each of the first two monthly periods of each quarterly period.

(2) In the second calendar quarter, the person shall prepay a first prepayment of 95 percent of the amount of state and local tax liability for the first monthly period of each quarterly period and a second prepayment of either:

(A) 95 percent of the amount of state and local tax liability for the second monthly period of the quarterly period plus 95 percent of the amount of state and local tax liability for the first 15 days of the third monthly period of the quarterly period; or

(B) 95 percent of the amount of state and local tax liability for the second monthly period of the quarterly period plus 50 percent of 95 percent of the amount of the liability for the second monthly period of the quarterly period.

(b) Persons engaged in their present business during all of the corresponding quarterly period of the preceding year, or persons who are successors to a business which was in operation during all of that quarterly period, may satisfy the above monthly prepayment requirements for the first, third, and fourth calendar quarters by payment of an amount equal to one-third of the measure of tax liability reported on the return or returns filed for that quarterly period of the preceding year multiplied by the state and local tax rate in effect during the month for which the prepayment is made.

The persons may satisfy their prepayment requirements for the second calendar quarter by making a first prepayment of an amount equal to one-third of the measure of tax liability reported, and a second prepayment of an amount equal to one-half of the measure of tax liability reported, on the return or returns filed for that quarterly period of the preceding year multiplied by the state and local tax rate in effect during the month for which the prepayment is made.

Prepayments shall be made during the quarterly periods designated by the board and during each succeeding quarterly

periods until further notified in writing by the board.

(c) This section shall remain in effect only until May 1, 1983, and as of that date is repealed, unless either of the following two events occur:

(1) On April 15, 1983, the state organization responsible for accurate and comprehensive long-range estimates projects that on June 30, 1983, the amount in the contingency reserve for economic uncertainties will be less than a prudent reserve, as determined by the organization, but in no event to exceed four hundred sixty-six million dollars ($466,000,000).

(2) The organization has made that projection prior to April 15, 1983, and, pursuant to executive orders issued by the Governor, or statutes enacted, or both, on or after July 1, 1982, and on or before April 15, 1983, one hundred forty million dollars ($140,000,000) in reduced expenditures or increased revenues, or both, will have been realized by June 30, 1983.

SEC. 16. Section 6472 of the Revenue and Taxation Code is amended to read:

6472. (a) For purposes of subdivision (a) of Section 6471, prepayment shall be accompanied by a report of the amount of such prepayment in a form prescribed by the board and shall be made to the board on or before the 24th day next following the end of each of the first two monthly periods of each quarterly period.

(b) For purposes of subdivision (b) of Section 6471, prepayment shall be accompanied by a report of the amount of such prepayment in a form prescribed by the board and shall be made to the board as follows:

(1) In the first, third, and fourth calendar quarters, on or before the 24th day next following the end of each of the first two monthly periods of each quarterly period.

(2) In the second calendar quarter as follows:

(A) The first prepayment on or before the 24th day next following the end of the first monthly period of each quarterly period.

(B) The second prepayment on or before the 23rd day of the third monthly period of each quarterly period for the second monthly period and the first 15 days of the third monthly period of each quarterly period.

(c) This section shall become operative on May 1, 1983, only if Section 6472.5 is repealed as of that date.

SEC. 17. Section 6472.5 of the Revenue and Taxation Code is amended to read:

6472.5. For purposes of Section 6471.5, prepayment shall be accompanied by a report of the amount of such prepayment in a form prescribed by the board and shall be made to the board as follows:

(a) In the first, third, and fourth calendar quarters, on or before the 24th day next following the end of each of the first two monthly periods of each quarterly period.

(b) In the second calendar quarter as follows:

(1) The first prepayment on or before the 24th day next following the end of the first monthly period of each quarterly period.

(2) The second prepayment on or before the 23rd day of the third monthly period of each quarterly period for the second monthly period and the first 15 days of the third monthly period of each quarterly period.

(c) This section shall remain in effect only until May 1, 1983, and as of that date is repealed, unless, either of the following two events occur:

(1) On April 15, 1983, the state organization responsible for accurate and comprehensive long-range estimates projects that on June 30, 1983, the amount in the contingency reserve for economic uncertainties will be less than a prudent reserve, as determined by the organization, but in no event to exceed four hundred sixty-six million dollars ($466,000,000).

(2) The organization has made that projection prior to April 15, 1983, and pursuant to executive orders issued by the Governor, or statutes enacted, or both, on or after July 1, 1982, and on or before April 15, 1983, one hundred forty million dollars ($140,000,000) in reduced expenditures or increased revenues, or both, will have been realized by June 30, 1983.

SEC. 18. Section 6477 of the Revenue and Taxation Code is amended to read:

6477. Any person required to make a prepayment pursuant to Section 6471 or Section 6471.5 who fails to make a prepayment before the last day of the monthly period following the quarterly period in which the prepayment became due and who files a timely return and payment for the quarterly period in which the prepayment became due shall pay a penalty of 6 percent of the amount equal to 90 percent or 95 percent of the tax liability, as prescribed in those sections, for each of the monthly periods during that quarterly period for which a required prepayment was not made.

SEC. 19. Section 6482 of the Revenue and Taxation Code is amended to read:

6482. The amount of the determination, exclusive of penalties, shall bear interest at the adjusted annual rate and by the method established pursuant to Section 19269 from the last day of the month following the quarterly period for which the amount or any portion thereof should have been returned until the date of payment.

SEC. 20. Section 6513 of the Revenue and Taxation Code is amended to read:

6513. The amount of the determination, exclusive of penalties, shall bear interest at the adjusted annual rate and by the method established pursuant to Section 19269 from the last day of the month following the quarterly period for which the amount or any portion thereof should have been returned until the date of payment.

SEC. 21. Section 6591 of the Revenue and Taxation Code is amended to read:

6591. Any person who fails to pay any tax to the state or any

amount of tax required to be collected and paid to the state, except amounts of determinations made by the board under Article 2 (commencing with Section 6481) or Article 3 (commencing with Section 6511) of this chapter, within the time required shall pay a penalty of 10 percent of the tax or amount of the tax, in addition to the tax or amount of tax, plus interest at the adjusted annual rate and by the method established pursuant to Section 19269 from the date on which the tax or the amount of tax required to be collected became due and payable to the state until the date of payment.

SEC. 22. Section 6907 of the Revenue and Taxation Code is amended to read:

6907. Interest shall be paid upon any overpayment of any amount of tax at the adjusted annual rate and by the method established pursuant to Section 19269 from the last day of the calendar month following the quarterly period for which the overpayment was made; but no refund or credit shall be made of any interest imposed upon the person making the overpayment with respect to the amount being refunded or credited.

The interest shall be paid:

(a) In the case of a refund, to the last day of the calendar month following the date upon which the person making the overpayment, if he has not already filed a claim, is notified by the board that a claim may be filed or the date upon which the claim is approved by the board, whichever date is the earlier.

(b) In the case of a credit, to the same date as that to which interest is computed on the tax or amount against which the credit is applied.

SEC. 23. Section 6936 of the Revenue and Taxation Code is amended to read:

6936. In any judgment, interest shall be allowed at the adjusted annual rate and by the method established pursuant to Section 19269 upon the amount found to have been illegally collected from the date of payment of the amount to the date of allowance of credit on account of the judgment or to a date preceding the date of the refund warrant by not more than 30 days, the date to be determined by the board.

SEC. 24. Section 19269 of the Revenue and Taxation Code is amended to read:

19269. (a) The rate established under this section (referred to in other code sections as "the adjusted annual rate") shall be the adjusted rate established by the Franchise Tax Board under subdivision (b).

(b) (1) If the adjusted prime rate charged by banks (rounded to the nearest full percent)—

(A) During the six-month period ending on September 30 of any calendar year, or

(B) During the six-month period ending on March 31 of any calendar year,

differs from the interest rate in effect under this section on either

one of those dates, respectively, then the Franchise Tax Board shall establish, within 60 days after the close of the applicable six-month period, an adjusted rate of interest equal to that adjusted prime rate.

(2) Any adjusted rate of interest established under paragraph (1) shall become effective—

(A) On January 1 of the succeeding year in the case of an adjustment attributable to subparagraph (A) of paragraph (1).

(B) On July 1 of the same year in the case of an adjustment attributable to subparagraph (B) of paragraph (1).

(3) For the period from the effective date of this section to December 31, 1982, inclusive, the adjusted rate of interest for the purpose of subdivision (a) shall be 18 percent per annum.

(4) For the period beginning March 1, 1983, until June 30, 1983, inclusive, the adjusted rate of interest for the purpose of subdivision (a) shall be 16 percent per annum.

(c) For purposes of subdivision (b), the term "adjusted prime rate charged by banks" means the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System.

(d) (1) For purposes of this part, Part 11 (commencing with Section 23001), and any other provision of law referencing this method of computation, in computing the amount of any interest required to be paid by the state or by the taxpayer, or any other amount determined by reference to that amount of interest, that interest and that amount shall be compounded daily.

(2) Paragraph (1) shall not apply for purposes of computing the amount of any addition to tax under Section 18685.05 or 25951.

(3) This subdivision shall apply to interest accruing after June 30, 1983.

SEC. 25. Section 25566 of the Revenue and Taxation Code is repealed.

SEC. 26. Section 25951 of the Revenue and Taxation Code is amended to read:

25951. Except as provided in Sections 25954 and 25954.2, in the case of any underpayment of tax—

(a) There shall be added to the tax for the income year an amount determined at the rate established under Section 19269 on the amount of the underpayment for the period of the underpayment.

(b) In any case in which there would be no underpayment if Section 25952 were applied by substituting "80 percent" for "90 percent" each place it appears, the addition to tax under subdivision (a) shall be equal to 75 percent of the amount otherwise determined under subdivision (a).

SEC. 27. Section 25951.5 of the Revenue and Taxation Code is repealed.

SEC. 28. Section 25952 of the Revenue and Taxation Code is amended to read:

25952. For the purposes of Section 25951 the amount of the underpayment shall be the excess of—

(a) (1) The amount of the installment which would be required to be paid if the estimated tax were equal to 90 percent of the tax shown on the return for the income year, or (2) in the case of the tax imposed by Article 3 of Chapter 2 an amount equal to 90 percent of the lesser of the tax computed at the rate provided by Section 25562 (but otherwise on the basis of the facts shown on the return and the law applicable to the income year), or the tax shown on the return for the income year as prescribed by Section 25553, or (3) if no return was filed, 90 percent of the tax for such year, over

(b) The amount, if any of the installment, paid on or before the last date prescribed for payment.

SEC. 29. Section 25954 of the Revenue and Taxation Code is amended to read:

25954. (a) Notwithstanding the provisions of the preceding sections of this article, the addition to the tax with respect to any underpayment of any installment shall not be imposed if the total amount of all payments of estimated tax paid on or before the last date prescribed for the payment of such installment equals or exceeds the amount which would have been required to be paid on or before such date if the estimated tax were whichever of the following is the lesser—

(1) The tax shown on the return of the taxpayer for the preceding income year if a return showing a liability for tax was filed by the taxpayer for the preceding year and such preceding year was a year of 12 months. The tax shown on the return, in the case of the tax imposed by Article 3 (commencing with Section 23181) of Chapter 2, means the amount of tax shown on the return for the income year as prescribed in Section 25553.

(2) An amount equal to the tax computed at the rates applicable to the taxable year but otherwise on the basis of the facts shown on the return of the taxpayer for, and the law applicable to, the preceding taxable year.

(3) (A) An amount equal to 90 percent of the tax for the income year computed by placing on an annualized basis the taxable income:

(i) For the first three months of the income year, in the case of the installment required to be paid in the fourth month,

(ii) For the first three months or for the first five months of the income year, in the case of the installment required to be paid in the sixth month,

(iii) For the first six months or for the first eight months of the income year in the case of the installment required to be paid in the ninth month, and

(iv) For the first nine months or for the first 11 months of the income year, in the case of the installment required to be paid in the 12th month of the taxable year.

(B) For purposes of this paragraph, the taxable income shall be placed on an annualized basis by—

(i) Multiplying by 12 the taxable income referred to in subparagraph (A), and

(ii) Dividing the resulting amount by the number of months in the income year referred to in subparagraph (A).

"Taxable income" as used in this section means, in the case of the tax imposed by Chapter 2 (commencing with Section 23101), income includable in the measure of the tax.

(b) (1) (A) Except as provided in subdivision (c) and subparagraph (B), in the case of a large corporation, paragraphs (1) and (2) of subdivision (a) shall not apply.

(B) For income years beginning before 1983, in the case of a large corporation, the amount treated as the estimated tax for the income year under paragraphs (1) and (2) of subdivision (a) shall in no event be less than the applicable percentage of—

(i) The tax shown on the return for the income year, or

(ii) If no return was filed, the tax for such year.

(C) For purposes of subparagraph (B), the applicable percentage shall be determined in accordance with the following table:

If the income year begins in:	The applicable percentage is:
1982	65

(2) For purposes of this subdivision, the term "large corporation" means any corporation or bank if that corporation or bank (or any predecessor corporation) had taxable income of one million dollars ($1,000,000) or more for any income year during the testing period.

(3) For purposes of this subdivision, the term "testing period" means the three income years immediately preceding the income year involved.

(c) (1) (A) Except as provided in subparagraph (B), in the case of a large worldwide corporation, paragraphs (1) and (2) of subdivision (a) shall not apply.

(B) For income years beginning after 1981, in the case of a large worldwide corporation, the amount treated as the estimated tax for the income year under paragraphs (1) and (2) of subdivision (a) shall in no event be less than the applicable percentage of—

(i) The tax shown on the return for the income year, or

(ii) If no return was filed, the tax for that year.

(C) For purposes of subparagraph (B), the applicable percentage shall be determined in accordance with the following table:

If the income year begins in:	The applicable percentage is:
1982	65
1983 and thereafter	70

(2) For purposes of this subdivision, the term "large worldwide corporation" means any corporation or bank if that corporation or bank (or any predecessor corporation or bank)—(A) had taxable income of one million dollars ($1,000,000) or more for any income year during the testing period, and (B) included during the testing

period, for purposes of the tax imposed by this part, income and apportionment factors of one or more banks or corporations which derive all of their income from sources outside the United States which are not subject to the income taxes imposed by Subtitle A of the United States Internal Revenue Code.

(3) For purposes of this subdivision, the term "testing period" means the three income years immediately preceding the income year involved.

(d) The amendments made to Sections 25951 and 25952 and this section by the act adding this subdivision shall become operative with respect to income years beginning on or after January 1, 1983.

SEC. 30. Section 25954.2 is added to the Revenue and Taxation Code, to read:

25954.2. (a) Notwithstanding the provisions of the preceding sections of this article, the addition to the tax with respect to any underpayment of any installment shall not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of that installment equals or exceeds 90 percent of the amount determined under subdivision (b).

(b) The amount determined under this subdivision for any installment shall be determined in the following manner—

(1) Take the net income for all months during the income year preceding the filing month,

(2) Divide that amount by the base period percentage for all months during the income year preceding the filing month,

(3) Determine the tax on the amount determined under paragraph (2), and

(4) Multiply the tax computed under paragraph (3) by the base period percentage for the filing months and all months during the income year preceding the filing month.

(c) For purposes of this subdivision.

(1) The base period percentage for any period of months shall be the average percent which the net income for the corresponding months in each of the three preceding income years bears to the net income for the three preceding income years.

(2) "Filing month" means the month in which the installment is required to be paid.

(3) This subdivision shall only apply if the base period percentage for any six consecutive months of the income year equals or exceeds 70 percent.

(4) The Franchise Tax Board may by regulations provide for the determination of the base period percentage in the case of reorganizations, new corporations, and other similar circumstances.

SEC. 31. Section 803 of the Unemployment Insurance Code is amended to read:

803. (a) As used in this section "entity" means any employing unit that is authorized by any provision of Article 4 (commencing with Section 701) of this chapter or by Section 801 or 802 to elect a method of financing coverage permitted by this section.

(b) In lieu of the contributions required of employers, an entity may elect any one of the following:

(1) To pay into the Unemployment Fund the cost of benefits, including extended duration benefits and federal-state extended benefits, paid based on base period wages with respect to employment for the entity and charged to its account in the manner provided by Section 1026, pursuant to authorized regulations which shall prescribe the rate or amount, time, manner, and method of payment or advance payment or providing a good and sufficient bond to guarantee payment of contributions.

(2) Two or more entities may, pursuant to authorized regulations, file an application with the director for the establishment of a joint account for the purpose of determining the rate of contributions they shall pay into the Unemployment Fund to reimburse the fund for benefits paid with respect to employment for such entities. The members of the joint account may share the cost of benefits, including extended duration benefits and federal-state extended benefits, paid based on the base period wages with respect to employment for such members and charged to the joint account in the manner provided by Section 1026. The director shall prescribe authorized regulations for the establishment, maintenance, and dissolution of joint accounts, and for the rate or amount, time, manner, and method of payment or advance payment or providing a good and sufficient bond to guarantee payment of contributions by the members of joint accounts, on the cost of benefits charged in the manner provided by Section 1026.

(c) Sections 1030, 1031, 1032, and 1032.5, and any provision of this division for the noncharging of benefits to the account of an employer, shall not apply to an election under subdivision (b) of this section. The cost of benefits charged to an entity under this section shall include, but not be limited to, benefits or payments improperly paid in excess of a weekly benefit amount, or in excess of a maximum benefit amount, or otherwise in excess of the amount which should have been paid, due to any computational or other error of any type by the Employment Development Department or the Department of Benefit Payments, whether or not such error could be anticipated.

(d) In making the payments prescribed by subdivision (b) there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he or she estimates the Unemployment Fund will be entitled to receive from each entity for each calendar quarter, reduced or increased by any sum by which he or she finds that his or her estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the fund. Such estimates may be made upon the basis of such statistical sampling, or other method as may be determined by the director.

Upon making such determination, the director shall give notice of the determination, pursuant to Section 1206, to the entity. The director may cancel any contributions or portion thereof which he

or she finds has been erroneously determined. The director shall charge to any special fund, which is responsible for the salary of any employee of an entity, the amount determined by the director for which the fund is liable pursuant to this section. The contributions due from the entity shall be paid from the liable special fund, the General Fund, or other liable fund to the Unemployment Fund by the Controller or other officer or person responsible for disbursements on behalf of the entity within 30 days of the date of mailing of the director's notice of determination to the entity. The director for good cause may extend for not to exceed 60 days the time for paying without penalty the amount determined and required to be paid. Contributions are due upon the date of mailing of the notice of determination and are delinquent if not paid on or before the 30th day following the date of mailing of such notice. Any entity which fails to pay the contributions required within the time required shall be liable for interest on the contributions at the adjusted annual rate and by the method established pursuant to Section 19269 of the Revenue and Taxation Code from and after the date of delinquency until paid, and any entity which without good cause fails to pay any contributions required within the time required shall pay a penalty of 10 percent of the amount of such contributions. If the entity fails to pay the contributions required on or before the delinquency date, the director may assess the entity for the amount required by the notice of determination. The provisions of Article 8 (commencing with Section 1126) of Chapter 4 of Part 1 of this division with respect to the assessment of contributions, and the provisions of Chapter 7 (commencing with Section 1701) of Part 1 of this division with respect to the collection of contributions, shall apply to the assessments provided by this section. The provisions of Sections 1177 to 1184, inclusive, relating to refunds and overpayments, shall apply to amounts paid to the Unemployment Fund pursuant to this section. The provisions of Sections 1222, 1223, 1224, 1241, and 1242 shall apply to matters arising under this section.

(e) The director may terminate the election of any entity for financing under this section if the entity is delinquent in the payment of advances or reimbursements required by the director under this section. After any such termination the entity may again make an election pursuant to this section but only if it is not delinquent in the payment of contributions and not delinquent in the payment of advances or reimbursements required by the director under this section.

(f) Notwithstanding any other provision of this section, no entity shall be liable for that portion of any extended duration benefits or federal-state extended benefits which is reimbursed or reimbursable by the federal government to the State of California.

(g) After the termination of any election under this section, the entity shall remain liable for its proportionate share of the cost of benefits paid and charged to its account in the manner provided by Section 1026, which are based on wages paid for services during the

period of the election. Any such liability may be charged against any remaining balance of a prior reserve account used by the entity pursuant to Section 712 or 713. Any portion of such remaining balance shall be included in the reserve account of the entity following any termination of an election under this section which occurs prior to the expiration of a period of three consecutive years commencing with the effective date of such election. For purposes of Section 982, the period of an election under Section 803 shall, to the extent permitted by federal law, be included as a period during which a reserve account has been subject to benefit charges.

SEC. 32. Section 1111 of the Unemployment Insurance Code is amended to read:

1111. The director for good cause may extend for not to exceed 60 days the time for making a return or paying without penalty any amount required to be paid under this division. Any employer to whom an extension is granted and who pays the amount required within the period for which the extension is granted shall pay, in addition to the contributions, interest at the adjusted annual rate and by the method established pursuant to Section 19269 of the Revenue and Taxation Code from the date on which the payment would have been delinquent without the extension until the date of payment.

SEC. 33. Section 1113 of the Unemployment Insurance Code is amended to read:

1113. Any employer who fails to pay any contributions required of him or of his workers, except amounts assessed under Article 8 (commencing with Section 1126) of this chapter, within the time required shall become liable for interest on such contributions at the adjusted annual rate and by the method established pursuant to Section 19269 of the Revenue and Taxation Code from and after the date of delinquency until paid.

SEC. 34. Section 1129 of the Unemployment Insurance Code is amended to read:

1129. The amount of each assessment, exclusive of penalty, shall bear interest at the adjusted annual rate and by the method established pursuant to Section 19269 of the Revenue and Taxation Code from and after the last day of the month following the close of the calendar quarter, or from and after the 15th day of the month following the close of the calendar month, for which the contributions should have been returned until the date of payment.

SEC. 35. Section 1184 of the Unemployment Insurance Code is amended to read:

1184. If any refund or portion thereof is erroneously made, the director shall assess such amount to the employing unit or other person to whom the refund was made, together with any interest paid thereon, but no assessment shall be made with respect to any amount of worker contributions which the employer has refunded to his or her employees. The amount of the assessment shall bear interest at the adjusted annual rate and by the method established pursuant to Section 19269 of the Revenue and Taxation Code

commencing 30 days after the service of notice of such assessment, if not paid within such period, until the date of repayment. The director shall give the employing unit against whom the assessment is made a written notice of the assessment pursuant to Section 1140.

Such notice shall be given within three years from the date the refund was made unless the employing unit waives this limitation period or consents to its extension Sections 1135, 1136, 1222, 1223, and 1224 shall apply to assessments made under this section. The director shall collect the amount of any assessment made under this section in the same manner that other assessments are collected.

SEC. 36. Section 13021 of the Unemployment Insurance Code is amended to read:

13021. (a) Every employer required to withhold any tax under Section 13020 shall for each calendar quarter, whether or not wages are paid in the quarter, file a withholding return in a form prescribed by the department, and pay over the taxes so required to be withheld. Except as provided in subdivisions (b) and (c) of this section, the employer shall file a withholding return and remit the total amount of income taxes withheld during the calendar quarter on or before the last day of the month following the close of the calendar quarter.

(b) The employer shall remit the total amount of income tax withheld during each first or second month of each calendar quarter, on or before the 16th day of the second calendar month or within three banking days of the 19th day of the third calendar month, respectively, if the income tax withheld for that month is more than three hundred fifty dollars ($350).

(c) The employer shall remit the total amount of income tax withheld from the first through the 19th calendar day of the third month of each calendar quarter, within three banking days of the 19th day of the third month if the income tax withheld for that period is more than two hundred twenty-two dollars ($222). Notwithstanding Section 1112, no interest or penalties shall be assessed against any employer who remits at least 95 percent of the amount required by this subdivision provided that the failure is not willful and any remaining amount due is paid with the next payment.

(d) The department may, if it believes such action is necessary, require any employer to make the return required by this section and pay to it the tax deducted and withheld at any time, or from time to time but no less frequently than provided for in subdivision (a).

(e) For the purpose of this section, payment is deemed complete when it is placed in a properly addressed envelope, bearing the correct postage, and it is deposited in the United States mail.

SEC. 37. Section 13004 of the Welfare and Institutions Code is amended to read:

13004. Counties, in expending the allocation for other county social services, shall provide (a) protective services for children and foster care services pursuant to Chapters 5 (commencing with Section 16500), 5.3 (commencing with Section 16525), and 5.5

(commencing with Section 16550) of Part 4, (b) protective services and foster care services for adults pursuant to Section 12251, (c) In-Home Supportive Services administration, (d) information referral services, and (e) transportation to and from health care facilities, or the location of other health care providers, when there is an urgent need for health care and transportation which is not otherwise available from other resources. These transportation services shall be maintained at least at the level provided by counties, as part of health-related services as provided for in Section 12251, on September 30, 1981.

SEC. 38. Section 4 of Chapter 322 of the Statutes of 1982 is amended to read:

Sec. 4. There is hereby appropriated to the Secretary of the Business, Transportation and Housing Agency from the Transportation Planning and Development Account in the State Transportation Fund, the sum of one hundred seventy-three million dollars ($173,000,000) for allocation in the 1982–83 and 1983–84 fiscal years pursuant to the following sections of the Public Utilities Code:

(a) Section 99313	
Fiscal year 1982–83	$49,000,000
Fiscal year 1983–84	$72,000,000
(b) Section 99314	
Fiscal year 1982–83	$21,000,000
Fiscal year 1983–84	$31,000,000

SEC. 39. Section 19.13 of Chapter 326 of the Statutes of 1982 is amended to read:

Sec. 19.13. Notwithstanding any other provisions of law, the Department of Finance shall authorize the Controller to make periodic transfers from the Transportation Planning and Development Account, State Transportation Fund, to the General Fund. The total amount of the transfers shall be $36,216,000.

SEC. 40. Section 5 of Chapter 502 of the Statutes of 1982, as amended by Section 4 of Chapter 1610 of the Statutes of 1982, is amended to read:

Sec. 5. (a) On July 1, 1983, the Controller shall transfer six million dollars ($6,000,000) from the General Fund to the Ridesharing and Alternative Transportation Fund established by Section 1 of this act in anticipation of increased revenues as a result of the provisions of Section 2 of this act.

(b) On May 1, 1984, and on every May 1 thereafter, through May 1, 1988, the Franchise Tax Board shall provide to the Controller an estimate of the net revenue gain to the General Fund resulting from the amendments to Section 17204 of the Revenue and Taxation Code made by Section 2 of this act. The estimate shall include, but is not limited to, all of the following:

(1) An estimate of the revenue gain or loss to the General Fund which would have resulted if Section 2 of this act had not been

enacted.

(2) A separate estimate of the revenue gain or loss to the General Fund resulting from each of the following provisions of Section 17204 of the Revenue and Taxation Code contained in Section 2 of this act:

(A) Subparagraph (B) of paragraph (4) of subdivision (a).

(B) Subparagraph (C) of paragraph (4) of subdivision (a).

(C) Subparagraph (E) of paragraph (4) of subdivision (a).

(c) On July 1, 1984, and on every July 1 thereafter, through July 1, 1987, the Controller shall transfer each fiscal year from the General Fund to the Ridesharing and Alternative Transportation Fund an amount equal to the net anticipated gain to the General Fund resulting from the provisions of Section 2 of this act, as estimated by the Franchise Tax Board pursuant to subdivision (b). The transfer shall not exceed six million dollars ($6,000,000) in any fiscal year.

SEC. 41. (a) Notwithstanding any other provisions of law, the Superintendent of Public Instruction shall make the computations prescribed by this section.

(b) The superintendent shall compute the amount to be apportioned to each school district, and the amount to be allocated to each county office of education, for the first principal apportionment according to law for the 1982–83 fiscal year.

(c) The superintendent shall reduce the February 1983 apportionment computed pursuant to subdivision (b) for each school district and county office of education by the full amount which will not be paid for the period January 1, 1983, to June 30, 1983, for that district or office to the Public Employees' Retirement System pursuant to the November 17, 1982, decision of the Board of Administration of the Public Employees' Retirement System to provide credits against school employers' contributions for the period January 1, 1983, to June 30, 1983, exclusive of the amount of the federal share of employer contributions to the Public Employees' Retirement System, as certified by the county superintendents, for employees supported by federal funds provided for a specific purpose and subject to federal supplanting restrictions. The apportionments and allocations shall be made as reduced pursuant to this subdivision.

(d) The superintendent shall compute the sum of the reduction made pursuant to subdivision (c) and shall certify that sum to the Controller.

(e) The amount certified pursuant to subdivision (d) shall not be transferred by the Controller from the General Fund to Section A of the State School Fund pursuant to Item 6100-101-001 of the Budget Act of 1982, but shall instead be reverted to the unappropriated surplus of the General Fund.

SEC. 42. (a) Notwithstanding any other provisions of law, an amount equal to the sum of the decreases in employer contributions to the Public Employees' Retirement System, exclusive of the amount of the federal share of employer contributions to the Public Employees' Retirement System, as certified by the county

superintendents, for employees supported by federal funds for a specific purpose and subject to federal supplanting restrictions, for each community college district for the period of January 1, 1983, to June 30, 1983, shall revert from the unemcumbered balance of the appropriation made by Item 6870-101-001 of the Budget Act of 1982 to the unappropriated surplus of the General Fund. The decreases in employer contributions shall be identified pursuant to the November 17, 1982, decision of the Board of Administration of the Public Employees' Retirement System to provide credits against employers' contributions.

(b) The apportionments to community college districts for the 1982–83 fiscal year shall be reduced by the amount reverted pursuant to subdivision (a). The preliminary estimate of the amount of reduction in apportionments for the 1982–83 fiscal year for each community college district shall be identified by the Chancellor of the California Community Colleges by February 23, 1983, in such fashion as to give maximum consideration to those districts that are currently experiencing financial difficulties. The chancellor shall transmit the preliminary estimates to the Board of Governors of the California Community Colleges, which shall then make the appropriate reduction of each district's first principal apportionment for the 1982–83 fiscal year. In no case shall the reduction be made on a pro rata basis among all the community college districts.

(c) The amount determined pursuant to subdivision (a) shall not be transferred by the Controller from the General Fund to Section B of the State School Fund, but shall instead be reverted to the unappropriated surplus of the General Fund by March 10, 1983.

SEC. 43. Notwithstanding any other provisions of law, on the operative date of this act, thirty-seven million dollars ($37,000,000) of the unencumbered balances, or those balances not legally committed by contract, of those appropriations for local assistance grants or capital outlay appropriated by Chapter 326 of the Statutes of 1982, or any prior or subsequent act, for expenditure from the Capital Outlay Fund for Public Higher Education, the Energy and Resources Fund, the State Parks and Recreation Fund, and the Special Account for Capital Outlay, and thirteen million dollars ($13,000,000) of the unappropriated balance of the Off-Highway Vehicle Fund, shall be transferred to the unappropriated surplus of the General Fund.

It is the intent of the Legislature that appropriations for projects for critical fire and life safety, and those which are substantially underway, not be transferred.

No funds shall be transferred from any unencumbered balance pursuant to this section sooner than 30 days after notice of the proposed transfer and the project involved to the Chairperson of the Joint Legislative Budget Committee, or such sooner time as the chairperson or his or her designee may determine.

SEC. 44. Notwithstanding Section 17780 of the Education Code or Section 19.05 of Chapter 326 of the Statutes of 1982, only those

funds certified by the Director of Finance as being the amount necessary to fund the state share of existing valid third-party contracts entered into on or before January 25, 1983, with a reasonable expectation of state payments shall be transferred to the State School Building Lease-Purchase Fund and the State School Deferred Maintenance Fund from the General Fund as authorized by Section 17780 of the Education Code.

SEC. 45. (a) Notwithstanding any other provisions of law, on the operative date of this act, the balance in the State School Building Lease-Purchase Fund not encumbered by agreements for which there are existing valid third-party contracts shall be transferred to the unappropriated surplus of the General Fund.

(b) Revenues received from the sale of bonds pursuant to the provisions of Chapter 21.5 (commencing with Section 17680) of Part 10 of the Education Code shall be transferred to the State School Building Lease-Purchase Fund in the amount necessary to fund projects approved prior to the operative date of this act.

(c) Revenue received pursuant to subdivision (b) shall first be allocated to projects for which the funds were not transferred pursuant to subdivision (a). When the allocation required by this subdivision is made, a like amount shall then be transferred from the State School Building Lease-Purchase Fund to the unappropriated surplus of the General Fund.

(d) It is the intention of the Legislature in enacting this section to fund approved projects from the sale of bonds.

SEC. 46. Notwithstanding any other provisions of law, on the operative date of this act, the Controller shall transfer an amount up to six hundred thousand dollars ($600,000), as determined by the Director of Finance, from the unencumbered balance of the appropriations for state operations from the Renewable Resources Investment Fund to the unappropriated surplus of the General Fund.

SEC. 47. Notwithstanding the provisions of Section 16310 of the Government Code or any other provisions of law, on or before June 30, 1983, forty-eight million eight hundred thousand dollars ($48,800,000) in the State Emergency Telephone Number Account in the General Fund shall revert to the unappropriated surplus of the General Fund.

It is the intent of the Legislature that funds will be appropriated to replenish the account in whatever amount, up to a maximum of forty-eight million eight hundred thousand dollars ($48,800,000), and at whatever times the funds are needed.

SEC. 48. Notwithstanding any other provisions of law, on the operative date of this act, the unencumbered balances of the appropriations provided in the following citations shall be transferred to the unappropriated surplus of the General Fund:

(1) Item 5240-301-036(1), Budget Act of 1982--Correctional Training Facility--visiting room--North facility--working drawings and construction.

(2) Item 5240-301-036(2), Budget Act of 1982--Correctional Training Facility--convert warehouse to vocational/maintenance complex--Central facility--construction.

(3) Item 5240-301-036(3), Budget Act of 1982--Correctional Training Facility--replace food service building--South facility--preliminary plans and working drawings.

(4) Item 5240-301-036(4), Budget Act of 1982--Correctional Training Facility--replace perimeter lighting--Central and North facilities--construction.

(5) Item 5240-301-036(5), Budget Act of 1982--Deuel Vocational Institution--milk processing facility--working drawings.

(6) Item 5240-301-036(6), Budget Act of 1982--Deuel Vocational Institution--remodel locking devices (Phase I)--construction.

(7) Item 5240-301-036(7) Budget Act of 1982--California State Prison at Folsom--install six generators for emergency lighting--preliminary plans, working drawing, and construction.

(8) Item 5240-301-036(9), Budget Act of 1982--California Institution for Men--milk processing facility--preliminary plans, working drawings, and construction.

(9) Item 5240-301-036(11), Budget Act of 1982--California Institution for Men--renovate locking devices--East--preliminary plans and working drawings.

(10) Item 5240-301-036(12), Budget Act of 1982--California Medical Facility--hospital licensing modifications--preliminary plans, working drawings, and construction.

(11) Item 5240-301-036(14), Budget Act of 1982--California Men's Colony--install emergency generator--East--preliminary plans and working drawings.

(12) Item 5240-301-036(15), Budget Act of 1982--San Quentin State Prison--modify hospital to meet fire marshal requirements--working drawings and construction.

(13) Item 5240-301-036(17), Budget Act of 1982--San Quentin State Prison--install dumbwaiters in lockup units--preliminary plans, working drawings, and construction.

(14) Item 5240-301-036(18), Budget Act of 1982--San Quentin State Prison--West block security modifications--preliminary plans, working drawings, and construction.

(15) Item 5240-301-036(19), Budget Act of 1982--California Institution for Women--upgrade primary electrical system to meet code requirements--preliminary plans and working drawings.

(16) Item 5240-301-036(20), Budget Act of 1982--Statewide--minor capital outlay.

SEC. 49. (a) Notwithstanding any other provisions of law, on the operative date of this act, the Controller shall transfer from the State Highway Account in the State Transportation Fund to the unappropriated surplus of the General Fund an amount equal to the entire principal and interest on the loan created pursuant to Chapter 159 of the Statutes of 1955.

(b) The California Transportation Commission shall establish and

collect tolls on the Richmond-San Rafael Bridge at rates necessary to generate revenues to provide for repayment to the State Highway Account of the amount transferred pursuant to subdivision (a) or may authorize the issuance of new bonds secured by the tolls and revenues of the bridge for payment of the amount transferred pursuant to subdivision (a).

SEC. 50. Notwithstanding any other provisions of law, on the operative date of this act, four hundred thousand dollars ($400,000) of the unappropriated surplus in the Surface Mining and Reclamation Account in the General Fund shall be transferred to the unappropriated surplus of the General Fund.

SEC. 51. Notwithstanding any other provisions of law, on the operative date of this act, one million five hundred thousand dollars ($1,500,000) of the unencumbered balance of the appropriation made by Item 8660-001-001 of the Budget Act of 1982 shall revert to the unappropriated surplus of the General Fund.

SEC. 52. Notwithstanding any other provisions of law, the sum of one million five hundred thousand dollars ($1,500,000) is hereby appropriated from the State Energy Resources Conservation and Development Special Account in the General Fund to the Public Utilities Commission for the purposes of Item 8660-001-001 of the Budget Act of 1982.

SEC. 53. Notwithstanding any other provisions of law, on the operative date of this act, the excess funds in the following appropriation on June 30, 1983, shall revert to the unappropriated surplus of the General Fund.

Item 5180-151-001, Budget Act of 1982

Schedule:

(b) Specialized Adult Programs

(1) In-Home Supportive Services.

SEC. 54. Notwithstanding any other provisions of law, on the operative date of this act, four million six hundred thirty-nine thousand dollars ($4,639,000) of the unencumbered balance of the appropriation made by Item 5100-001-001 of the Budget Act of 1982 shall revert to the unappropriated surplus of the General Fund.

SEC. 55. Notwithstanding any other provisions of law, on the operative date of this act, one million dollars ($1,000,000) of the unencumbered balance of the appropriation made by Item 5460-001-001 of the Budget Act of 1982 shall revert to the unappropriated surplus of the General Fund.

SEC. 56. Notwithstanding any other provisions of law, on the operative date of this act, five million two hundred thousand dollars ($5,200,000) of the appropriation made by category (c) of Item 4260-111-001 of the Budget Act of 1982, for special needs and priorities under Section 16707 of the Welfare and Institutions Code, shall revert to the unappropriated surplus of the General Fund. Notwithstanding the foregoing provisions of this section, funds reverted pursuant to this section shall be reverted in the amounts recoverable from each county from prior fiscal year apportionments

for the same purpose. Any county with funds recoverable from prior fiscal year appropriations for the same purpose way, to the extent funds are reverted from the 1982–83 fiscal year appropriations pursuant to this section, transfer those funds to their 1982–83 fiscal year allotment.

SEC. 57. Funds necessary for the completion of projects authorized in Item 5240-301-036 of the Budget Act of 1982 are hereby appropriated from the New Prison Construction Fund to the Department of Corrections for expenditure for capital outlay in accordance with the schedule contained in Item 5240-301-036 of the Budget Act of 1982.

SEC. 58. Gross receipts from the sale of, and the storage, use, or other consumption in this state of materials, fixtures, and supplies, obligated pursuant to an engineering construction project contract or a building construction contract entered into for a fixed price prior to the operative date of Sections 6051.5, 6051.7, 6201.5, and 6201.7 of the Revenue and Taxation Code, shall not be subject to the additional sales and use tax rate imposed by this act, but shall be subject to the rate of tax applicable prior to the operative date of those sections.

For purposes of this section, tangible personal property shall not be deemed obligated pursuant to a contract for any period of time during which any party to the contract has a right, conditioned only upon notice, to terminate the contract, whether or not the right is exercised.

For the purposes of this section, "supplies" means items of tangible personal property consumed in a one-time use directly in the performance of a construction contract. "Supplies" includes, but is not limited to, such things as: oxygen, acetylene, gasoline, diesel fuel, acid, thread cutting oil, dynamite, blasting caps and fuses. "Supplies" also includes oil filters, drill bits, saw blades, tires, repair parts, and form lumber when those items are substantially consumed in the performance of a contract. "Supplies" does not include tools and equipment, but does include equipment leased under a lease which is a continuing sale or a continuing purchase within the meaning of Section 6006.1 or 6010.1, respectively, of the Revenue and Taxation Code.

For the purposes of this section, a unit price contract under which each unit price is a fixed dollar amount which may not be increased or decreased by reason of any changes in tax rates, cost of materials, fixtures, labor, overhead, or any similar item is a contract entered into for a fixed price.

For the purposes of this section, a guaranteed maximum contract under which the guaranteed maximum amount cannot be increased by reason of changes in tax rates, cost of materials, fixtures, labor, overhead, or any similar item is a contract entered into for a fixed price.

SEC. 59. Gross receipts from the sale of, and the storage, use, or other consumption in this state of tangible personal property which

the seller is obligated to furnish for a fixed price pursuant to a contract entered into prior to the operative date of Sections 6051.5, 6051.7, 6201.5, and 6201.7 of the Revenue and Taxation Code, shall not be subject to the additional sales and use tax rate imposed by this act, but shall be subject to the rate of tax applicable prior to the operative date of those sections.

A lease of tangible personal property which is a continuing sale of that property is not subject to the additional sales and use tax rate imposed by this act for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of Sections 6051.5, 6051.7, 6201.5, and 6201.7 of the Revenue and Taxation Code

For the purposes of this section, the sale, lease, storage, use or other consumption of tangible personal property shall not be deemed to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such a right is exercised.

SEC. 60. Regulations adopted to implement the provisions of this act shall be adopted as emergency regulations. These emergency regulations shall not be subject to the review and approval of the Office of Administrative Law pursuant to the provisions of the Administrative Procedure Act provided for in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. These emergency regulations shall become effective immediately upon filing with the Secretary of State.

SEC. 61. Section 1 of Chapter 1496 of the Statutes of 1982 acknowledged that certain employer contributions may be increased if the temporary cessation of employer contributions mandated by Chapter 115 of the Statutes of 1982 adversely impacts the actuarial soundness of the Public Employees' Retirement System.

The Third Appellate District Court of Appeal of the State of California has ruled that the provisions of Chapter 115 of the Statutes of 1982 violate the constitutional prohibition against impairment of contract and has ordered a preemptory writ directing respondents to perform their duties without regard to the provisions of Chapter 115.

A petition for hearing in this matter has been made to the California Supreme Court. If the petition for hearing is denied or if, after granting the hearing, the California Supreme Court concludes the contributions withheld pursuant to Chapter 115 of the Statutes of 1982 are required to be paid, the following action shall take place:

(a) Employer contribution rates of the state, school districts, and county superintendents of schools shall be increased by 1.0 percent for all retirement categories beginning July 1 of the fiscal year following the finding of the court, and for a period of time necessary to repay the contributions withheld by Chapter 115 of the Statutes of 1982, plus interest at the then current actuarial interest rate.

On the operative date of this act, the Controller shall return to the General Fund all moneys transferred to the Payroll Revolving Fund for the purpose of paying the state's contributions to the Public Employees' Retirement Fund which were suspended by Chapter 115.

SEC. 62. (a) A Special Reserve Account is hereby established in the General Fund for the purpose of retiring any deficit from the 1982–83 fiscal year.

(b) The special account shall consist of funds transferred thereto from the Contingency Reserve for Economic Uncertainties, as follows:

(1) On October 1, 1983, the Director of Finance shall estimate the June 30, 1984, balance in the Contingency Reserve for Economic Uncertainties and shall direct the Controller to transfer, and the Controller shall transfer, 25% of that amount to the Special Reserve Account.

(2) On January 1, 1984, the Director of Finance shall estimate the June 30, 1984, balance in the Contingency Reserve for Economic Uncertainties and shall direct the Controller to transfer, and the Controller shall transfer, 33⅓% of that amount to the Special Reserve Account.

(3) On April 1, 1984, the Director of Finance shall estimate the June 30, 1984, balance in the Contingency Reserve for Economic Uncertainties and shall direct the Controller to transfer, and the Controller shall transfer, 50% of that amount to the Special Reserve Account.

(4) On May 31, 1984, the Director of Finance shall order the Controller to transfer, and the Controller shall transfer, the balance of the Contingency Reserve for Economic Uncertainties estimated to be in the reserve on June 30, 1984, but for the provisions of this paragraph, to the Special Reserve Account.

(c) In making the estimates required under subdivision (b), the Director of Finance shall ignore transfers to be made pursuant to this section from the Contingency Reserve for Economic Uncertainties subsequent to the estimates.

(d) The funds in the Special Reserve Account shall be available on and after May 31, 1984, for the purpose of repayment of any inter-fund or external borrowing during the 1983–84 fiscal year.

SEC. 63. It is the intent of the Legislature that Section 5 of this act shall, in all respects, fall within the procedures validated by, and meet the requirements for constitutionality set forth in, the California Supreme Court cases of Riley v. Johnson (1933), 219 Cal 513 and Riley v. Johnson (1936), 6 Cal. 2d 529.

SEC. 64. Section 3 of this act shall become operative on July 1, 1983.

SEC. 65. The amendments to Sections 6471, 6471.5, 6472, 6472.5, and 6477 of the Revenue and Taxation Code made by this act shall become operative April 1, 1983.

SEC. 66. The repeal of Sections 25566 and 25951.5 of the Revenue

and Taxation Code by this act shall be operative on March 1, 1983.

SEC. 67. The amendment to Section 13021 of the Unemployment Insurance Code made by this act shall become operative April 1, 1983.

SEC. 68. Notwithstanding Section 6 of Article XIII B of the California Constitution and Section 2231 or 2234 of the Revenue and Taxation Code, no appropriation is made by this act for the purpose of making reimbursement pursuant to these sections. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Chapter 3 (commencing with Section 2201) of Part 4 of Division 1 of that code.

SEC. 69. If any provisions of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 70. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

This act relates to matters required to be done prior to the end of the 1982–83 fiscal year. In order to be applicable by that time it must take effect immediately.

CHAPTER 11

An act to amend Section 17311 of the Government Code, relating to financing notes, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 2, 1983. Filed with Secretary of State March 2, 1983]

. .ıe people of the State of California do enact as follows:

SECTION 1. Section 17311 of the Government Code is amended to read:

17311. There is hereby appropriated from the General Fund without regard to fiscal years, two hundred fifty thousand dollars ($250,000) which shall be set aside in a special account entitled State Notes Expense Account, and shall be used to pay expenses incurred by the Treasurer in providing for the preparation, sale, issuance, advertising, legal services, or any other act which, in the discretion of the Treasurer, is necessary to carry out the purposes of this part. This account shall operate as a revolving fund and whenever notes are sold, out of the first money realized from their sale, any remaining expenses shall be paid and then there shall be redeposited

in the account any amounts that have been expended for the above purposes, which amounts may be used for the same purposes and repaid in the same manner whenever additional sales are made.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide an additional means of temporary borrowing to meet cash flow needs, and avoid more costly registered warrants, it is necessary that this act take effect immediately.

CHAPTER 12

An act to add Section 22013.11 to the Government Code, relating to Public Emplyees' Retirement System, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 2, 1983. Filed with Secretary of State March 2, 1983]

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

SECTION 1. Section 22013.11 is added to the Government Code, to read:

22013.11. "Policeman" or "fireman," as used in this part, also includes persons employed in positions set forth in Sections 20017.85 and 20017.86; provided, such designation is not contrary to any definition, ruling, or regulation relating to the term "policeman" or "fireman" issued by the federal agency for the purposes of Section 218(d) (5) (A) of the Social Security Act (42 U.S.C. Sec. 418(d) (5) (A)).

SEC. 2. Section 1 of this act shall not become operative until such time as a ruling or regulation authorizing the inclusion of persons employed in classifications set forth in Sections 20017.85 and 20017.86 of the Government Code within the definition of "policeman" or "fireman" is issued by the federal agency for purposes of Section 218(d) (5) (A) of the Social Security Act (42 U.S.C. Sec. 418(d) (5) (A)).

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the benefits of Chapter 1425 of the Statutes of 1982 and the related memoranda of understanding may become operative as early as possible, it is necessary that this act take effect immediately.

CHAPTER 13

An act to amend and supplement the Budget Act of 1982 by adding Item 3810-491 thereto, relating to parklands, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 10, 1983. Filed with Secretary of State March 10, 1983.]

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

SECTION 1. Item 3810-491 is added to the Budget Act of 1982 (Chapter 326, Statutes of 1982), to read:

3810-491—Reappropriations, Santa Monica Mountains Conservancy.

Notwithstanding any other provisions of law, on the effective date of this act, the following amounts of the unencumbered balance of the appropriations provided in the following citations are reappropriated to the Santa Monica Mountains Conservancy for the purpose of a grant to the City of Los Angeles for the purchase of Runyon Canyon (Huntington-Hartford Estate).

721—Parklands Fund of 1980

(1) Item 381-301-721(d), Budget Act of 1981—1,569,779.

190—Resources Account, Energy and Resources Fund

(1) Item 3810-301-190(b), Budget Act of 1982—2,527,000.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

The Budget Acts of 1981 and 1982 appropriated funds in the category of capital outlay for the purchase of land at Runyon Canyon. In order for a local assistance grant to be made to the City of Los Angeles for the purchase of this property, it is necessary that this act take effect immediately.

CHAPTER 14

An act to add Section 5098.6 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 5, 1983 Filed with Secretary of State April 5, 1983]

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

SECTION 1. Section 5098.6 is added to the Revenue and Taxation Code, to read:

5098.6. Notwithstanding Section 5097, in the event that a final decision of the Supreme Court or a court of appeal of this state concludes that a county assessor's determination of full cash value of any real property exceeded the maximum full cash value permitted under Article XIII A of the Constitution because the full cash value was improperly adjusted for the inflationary rate in violation of subdivision (b) of Section 2 of that article, the county auditor of each county shall make refunds to all assessees of those real property taxes which were collected on the basis of an excess valuation of the same type as was the subject of the court's final decision. Those refunds shall be made in either of the following ways:

(a) With respect to any assessee whose real property has not changed ownership since February 28, 1977, the county auditor shall refund to the assessee, without the necessity of his or her filing a claim for refund, the real property taxes previously collected which resulted from the excess valuation. The auditor shall make the refunds pursuant to this paragraph without prior hearing or approval by the board of supervisors, and notwithstanding the limitation contained in paragraph (2) of subdivision (a) of Section 5097.

(b) With respect to any assessee whose real property has changed ownership since February 28, 1978, the county auditor shall refund the real property taxes previously collected which resulted from the excess valuation to any assessee who makes written application establishing that he or she actually paid taxes on that real property based on that excess valuation. An application shall be deemed timely made if it is filed within one year of the issuance of the court's final decision. The refund may be made without prior hearing or approval by the board of supervisors.

(c) Refunds on taxes paid shall include interest at the rate of 9 percent per annum on the amount refunded. This interest to be computed from December 10, 1982, or the date the taxes were paid, whichever is later, to the date the refund is made.

(d) The State Board of Equalization shall adopt regulations providing for the implementation of this section with respect to the filing for and distribution of refunds in cases where there are multiple property owners. The regulations shall not be subject to the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

SEC. 2. It is the intent of the Legislature in enacting Section 1 of this act to alleviate the necessity for the costly and burdensome filing and processing of claims for refunds in the event that a final decision of the courts requires the payment of refunds to assessees in connection with property tax assessments based on the improper inclusion in value of inflationary adjustments for fiscal years preceding the adoption of Article XIII A of the Constitution. The sole purpose of this act is to mitigate the unnecessary and costly filing by property taxpayers of claims for refunds with county boards of supervisors and superior courts, which are contingent on the outcome of litigation on the proper interpretation of the inflation

factor used to adjust assessments pursuant to Article XIII A of the Constitution. This act is not intended to change legislative interpretation of the provisions of Article XIII A of the Constitution on this issue which are contained in Sections 52 and 110.1 of the Revenue and Taxation Code.

SEC. 3. Notwithstanding Section 6 of Article XIII B of the California Constitution and Section 2231 or 2234 of the Revenue and Taxation Code, no appropriation is made by this act for the purpose of making reimbursement pursuant to these sections. The Legislature recognizes that the processing of refunds is a state-mandated local program. However, this processing involves both increased savings and costs. A local agency or school district may pursue any remedies to obtain reimbursement available to it under Chapter 3 (commencing with Section 2201) of Part 4 of Division 1 of that code.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

It is not known at this time whether certain specified property taxpayers may ultimately be entitled to refunds of a portion of their property taxes for the 1978–79 fiscal year as the result of a final decision being reached in two cases being considered by the Court of Appeal, First District, Armstrong v. San Mateo County, Civ. No. 223408 and Barrett v. Santa Clara County, Civ. No. 428754 (J.C.C P. No. 894). However, as a practical matter, taxpayers are now filing for refunds contingent on the outcome of those cases. To mitigate the costs of filing for refunds, it is necessary that this act go into immediate effect.

CHAPTER 15

An act to amend, add, and repeal Section 1464 of the Penal Code, relating to victims of crime, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 19, 1983 Filed with Secretary of State April 19, 1983]

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

SECTION 1. Section 1464 of the Penal Code, as amended by Section 2.5 of Chapter 1437 of the Statutes of 1982, is amended to read:

1464. (a) Subject to the provisions of Section 1206.8, there shall be levied an assessment in an amount equal to four dollars ($4) for every ten dollars ($10) or fraction thereof, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal

offenses, including all offenses involving a violation of a section of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code, except offenses relating to parking or registration or offenses by pedestrians or bicyclists, or where an order is made to pay a sum to the general fund of the county pursuant to subparagraph (iii) of paragraph (3) of subdivision (a) of Section 258 of the Welfare and Institutions Code. Any bail schedule adopted pursuant to Section 1269b may include the necessary amount to pay the assessments established by this section and Section 1206.8 for all matters where a personal appearance is not mandatory and the bail is posted primarily to guarantee payment of the fine.

(b) Where multiple offenses are involved, the assessment shall be based upon the total fine or bail for each case. When a fine is suspended, in whole or in part, the assessment shall be reduced in proportion to the suspension.

(c) When any deposited bail is made for an offense to which this section applies, and for which a court appearance is not mandatory, the person making such deposit shall also deposit a sufficient amount to include the assessment prescribed by this section for forfeited bail. If bail is returned, the assessment made thereon pursuant to this section, shall also be returned.

(d) In any case where a person convicted of any offense, to which this section applies, is in prison until the fine is satisfied, the judge may waive all or any part of the assessment, the payment of which would work a hardship on the person convicted or his immediate family.

(e) After a determination by the court of the amount due, the clerk of the court shall collect the same and transmit it to the county treasury. The portion thereof attributable to Section 1206.8 shall be deposited in the appropriate county fund and the balance shall then be transmitted to the State Treasury to be deposited in the Assessment Fund, which is hereby created. The transmission to the State Treasury shall be carried out in the same manner as fines collected for the state by a county.

(f) The moneys so deposited shall be distributed as follows:

(1) Once a month there shall be transferred into the Fish and Game Preservation Fund an amount equal to 0.42 percent of the funds deposited in the Assessment Fund during the preceding month, but in no event shall the amount be less than the assessment levied on fines or forfeitures for violation of state laws relating to the protection or propagation of fish and game. Such moneys are to be used for the education or training of department employees which fulfills a need consistent with the objectives of the Department of Fish and Game.

(2) Once a month there shall be transferred into the Indemnity Fund an amount equal to 24.58 percent of the funds deposited in the Assessment Fund during the preceding month. Such funds shall be available for appropriation by the Legislature in accordance with the provisions of subdivision (b) of Section 13967 of the Government

Code.

(3) Once a month there shall be transferred into the Peace Officers' Training Fund an amount equal to 30.83 percent of the funds deposited in the Assessment Fund during the preceding month.

(4) Once a month there shall be transferred into the Driver Training Penalty Assessment Fund an amount equal to 44.17 percent of the funds deposited in the Assessment Fund during the preceding month.

(g) This section shall become operative on January 1, 1983, shall remain in effect only until April 15, 1983, and as of that date is repealed.

SEC. 2. Section 1464 is added to the Penal Code, to read:

1464. (a) Subject to the provisions of Section 1206.8, there shall be levied an assessment in an amount equal to four dollars ($4) for every ten dollars ($10) or fraction thereof, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including all offenses involving a violation of a section of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code, except offenses relating to parking or registration or offenses by pedestrians or bicyclists, or where an order is made to pay a sum to the general fund of the county pursuant to subparagraph (iii) of paragraph (3) of subdivision (a) of Section 258 of the Welfare and Institutions Code. Any bail schedule adopted pursuant to Section 1269b may include the necessary amount to pay the assessments established by this section and Section 1206.8 for all matters where a personal appearance is not mandatory and the bail is posted primarily to guarantee payment of the fine.

(b) Where multiple offenses are involved, the assessment shall be based upon the total fine or bail for each case. When a fine is suspended, in whole or in part, the assessment shall be reduced in proportion to the suspension.

(c) When any deposited bail is made for an offense to which this section applies, and for which a court appearance is not mandatory, the person making such deposit shall also deposit a sufficient amount to include the assessment prescribed by this section for forfeited bail. If bail is returned, the assessment made thereon pursuant to this section, shall also be returned.

(d) In any case where a person convicted of any offense, to which this section applies, is in prison until the fine is satisfied, the judge may waive all or any part of the assessment, the payment of which would work a hardship on the person convicted or his immediate family.

(e) After a determination by the court of the amount due, the clerk of the court shall collect the same and transmit it to the county treasury. The portion thereof attributable to Section 1206.8 shall be deposited in the appropriate county fund and the balance shall then be transmitted to the State Treasury to be deposited in the Assessment Fund, which is hereby created. The transmission to the

State Treasury shall be carried out in the same manner as fines collected for the state by a county.

(f) The moneys so deposited shall be distributed as follows:

(1) Once a month there shall be transferred into the Fish and Game Preservation Fund an amount equal to 0.42 percent of the funds deposited in the Assessment Fund during the preceding month, but in no event shall the amount be less than the assessment levied on fines or forfeitures for violation of state laws relating to the protection or propagation of fish and game. Such moneys are to be used for the education or training of department employees which fulfills a need consistent with the objectives of the Department of Fish and Game.

(2) Once a month there shall be transferred into the Indemnity Fund an amount equal to 24.58 percent of the funds deposited in the Assessment Fund during the preceding month. Such funds shall be available for appropriation by the Legislature in accordance with the provisions of subdivision (b) of Section 13967 of the Government Code.

(3) Once a month there shall be transferred into the Indemnity Fund an amount equal to 30.83 percent of the funds deposited in the Assessment Fund during the preceding month; provided, that the total amount transferred to the Indemnity Fund for the period of April 15, 1983, through July 1, 1983, shall not exceed the sum of five million two hundred thousand dollars ($5,200,000), and the remainder thereof, if any, shall be transferred to the Peace Officers' Training Fund. The funds so transferred to the Indemnity Fund shall be available for appropriation by the Legislature in accordance with the provisions of subdivision (b) of Section 13967 of the Government Code.

(4) Once a month there shall be transferred into the Driver Training Penalty Assessment Fund an amount equal to 44.17 percent of the funds deposited in the Assessment Fund during the preceding month.

(g) This section shall become operative on April 15, 1983, shall remain in effect only until July 1, 1983, and as of that date is repealed.

SEC. 3. The sum of four million dollars ($4,000,000) is hereby appropriated from the Indemnity Fund to the Board of Control for the payment of claims under the Victims of Violent Crimes Program, upon certification by the Director of Finance that sufficient funds are available in the Indemnity Fund to finance such expenditures.

SEC. 4. Notwithstanding proviso number 3 of Item 8100-101-214 of the Budget Act of 1982, written notice of the necessity for the expenditure of the funds governed by proviso number 3 need not be given as specified in proviso number 3, and such notice requirement is hereby waived by the Legislature.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Because of a projected deficit in the Indemnity Fund it will be necessary to close or substantially reduce services by local victim/witness assistance centers, rape victim assistance centers and child sexual abuse prevention programs in addition to the nonpayment of crime victims compensation claims.

CHAPTER 16

An act to amend Sections 4677, 4701, 4701.6, 4702.6, 4704, 4705, 4710, 4710.5, 4710.6, 4710.7, 4712.5, 4715, and 4728 of, to add Sections 4710.8, 4710.9, 4712.2, and 4713 to, to repeal and add Sections 4711 and 4712 of, and to repeal Sections 4711.5, and 4711.6 of, the Welfare and Institutions Code, relating to developmental disabilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor May 12, 1983 Filed with Secretary of State May 12, 1983.]

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

SECTION 1. Section 4677 of the Welfare and Institutions Code is amended to read:

4677. All parental fees collected by or for regional centers shall be remitted to the State Treasury to be deposited in the Developmental Disabilities Program Development Fund, which is hereby created and hereinafter called the Program Development Fund. The purpose of the Program Development Fund shall be to provide resources needed to initiate new programs, consistent with approved priorities for program development in the state plan. In no event shall an allocation from the Program Development Fund be granted for more than 24 months.

On or before October 1, 1982, the State Council on Developmental Disabilities shall request from all regional centers information on priority services needed but currently unavailable. Based on the information provided by the regional centers and other local agencies, the State Council on Developmental Disabilities shall annually develop an assessment of the level of need for new community programs. This needs assessment shall be included in the state plan. The State Council on Developmental Disabilities, in consultation with the Department of Developmental Services, shall make a recommendation to the Department of Finance as to the level of funding for program development to be included in the Governor's Budget, based upon this needs assessment.

Parental fee schedules shall be evaluated pursuant to the provisions of Section 4785 and adjusted annually by the department, with the approval of the state council. Fees for out-of-home care shall bear an equitable relationship to the cost of such care and the ability

of the family to pay.

In addition to parental contributions and General Fund appropriations, the Program Development Fund may be augmented by federal funds available to the state for program development purposes, when such funds are allotted to the Program Development Fund in the state plan. The Program Development Fund is hereby appropriated to the department, and subject to any allocations which may be made in the annual Budget Act. In no event shall any such funds revert to the General Fund. Prior to July 1, 1983, the Department of Finance shall review the utilization and effectiveness of the Program Development Fund and shall report its findings to the Legislature.

The Legislative Analyst shall review and comment on the utilization and effectiveness of the Program Development Fund in connection with the annual budget hearings.

The department may allocate funds from the Program Development Fund for any legal purpose, provided, that requests for proposals and such allocations are approved by the state council, in consultation with the department, and are consistent with the priorities for program development in the state plan Allocations from the Program Development Fund shall take into consideration the following factors:

(1) The future fiscal impact of such allocations on other state supported programs for developmentally disabled persons.

(2) The information on priority services needed but currently unavailable submitted by the regional centers.

Consistent with the level of need as determined in the state plan, excess parental fees may be used for purposes other than new program development only when specifically appropriated to the Department of Developmental Services for such other purposes.

For the 1982–83 fiscal year only, parental fees in excess of those appropriated in the Budget Act of 1982 are hereby appropriated to the State Department of Developmental Services for purchasing services by regional centers.

Under no circumstances shall the deposit of federal moneys into the Program Development Fund be construed as requiring the State Department of Developmental Services to comply with a definition of "developmental disabilities" and "services for persons with developmental disabilities" other than as specified in subdivisions (a) and (b) of Section 4512 for the purposes of determining eligibility for developmental services or for allocating parental fees and state general funds deposited in the Program Development Fund.

SEC. 2. Section 4701 of the Welfare and Institutions Code is amended to read:

4701. "Adequate notice" means a written notice informing the applicant, recipient, and authorized representative of at least all of the following:

(a) The action that the service agency proposes to take.

(b) The reason or reasons for that action.

(c) The effective date of that action.

(d) The specific law, regulation, or policy supporting the action.

(e) The responsible state agency with whom a state appeal may be filed, including the address of the state agency director.

(f) Information on availability of advocacy assistance, including referral to the state hospital or regional center clients' rights advocate, area board, publicly funded legal services corporations, and other publicly or privately funded advocacy organizations, including the protection and advocacy system required under federal Public Law 95-602, the Developmental Disabilities Assistance and Bill of Rights Act.

(g) The fair hearing appeal procedure, including deadlines and access to service agency records under Article 5 (commencing with Section 4725).

(h) That if a request for a fair hearing by a recipient is postmarked or received by a service agency no later than 10 days after receipt of the notice of the proposed action mailed pursuant to subdivision (a) of Section 4710, current services shall continue as provided in Section 4715. The notice shall be in clear, nontechnical language in English. If the claimant or authorized representative does not comprehend English, the notice shall be provided in such other language as the claimant comprehends.

SEC. 3. Section 4701.6 of the Welfare and Institutions Code is amended to read:

4701.6. "Authorized representative" means the conservator of an adult, the guardian, conservator, or parent or person having legal custody of a minor claimant, or person or agency authorized in writing by the claimant or by the legal guardian, conservator, or parent or person having legal custody of a minor claimant to act for or represent the claimant under this chapter.

SEC. 4. Section 4702.6 of the Welfare and Institutions Code is amended to read:

4702.6. "Hearing request form" means a document which shall include the name and address of the persons requesting a hearing, name and address of applicant or recipient, date of request, reason for the request, and name and address of the authorized representative, if any.

SEC. 5. Section 4704 of the Welfare and Institutions Code is amended to read:

4704. "Service agency" means any state hospital or regional center that receives state funds to provide services for persons with developmental disabilities.

SEC. 6. Section 4705 of the Welfare and Institutions Code is amended to read:

4705. (a) Every service agency shall, as a condition of continued receipt of state funds, have an agency fair hearing procedure for resolving conflicts between the service agency and recipients of, or applicants for, service. The State Department of Developmental Services shall promulgate regulations to implement this chapter by

October 1, 1983, which shall be binding on every service agency.

Any public or private agency receiving state funds for the purpose of serving persons with developmental disabilities not otherwise subject to the provisions of this chapter shall, as a condition of continued receipt of state funds, adopt and periodically review a written internal grievance procedure.

(b) An agency that employs a fair hearing procedure mandated by any other statute shall be considered to have an approved procedure for purposes of this chapter.

(c) The service agency's fair hearing procedure shall be stated in writing, in English and such other language as may be appropriate to the needs of the consumers of the agency's service. A copy of the procedure and a copy of the provisions of this chapter shall be prominently displayed on the premises of the service agency.

(d) All recipients, applicants and persons having legal responsibility for such recipients or applicants shall be informed verbally of, and shall be notified in writing in a language which they comprehend of, the service agency's fair hearing procedure when they apply for service, when they are denied service, and when notice of service modification is given pursuant to Section 4710.

SEC. 7. Section 4710 of the Welfare and Institutions Code is amended to read:

4710. (a) Adequate notice shall be sent to the applicant or recipient and the authorized representative, if any, by certified mail at least 30 days prior to any of the following actions:

(1) The agency makes a decision without the mutual consent of the service recipient or authorized representative to reduce, terminate, or change services set forth in an individual program plan.

(2) A recipient is determined to be no longer eligible for agency services.

(b) If the reason for denial of services or modification of services in a recipient's individual program plan is a lack of funds in the regional center budget, the regional center shall be the service agency responsible for giving adequate notice and participating in the fair hearing procedure under this chapter.

(c) The regional center shall, within 30 days after written notice is mailed to the applicant or client, notify the department in writing of the denial if a lack of funds in the regional center budget is the reason for one of the following:

(1) The denial of services to an applicant.

(2) The denial of services to a current regional center client requesting services not included in the client's individual program plan but determined to be necessary by the interdisciplinary team.

(3) Denial, cutback, or termination of current services to a recipient set forth in the individual program plan.

The notification to the department shall include the nature of the service requested, a request that the department allocate sufficient funds to the regional center within 30 days to provide the service, the projected cost for such service for the balance of the fiscal year, and

information substantiating the reason for the lack of funds to purchase such service.

(d) If a person requests regional center services and is found to be ineligible for these services, the regional center shall give adequate notice pursuant to Section 4701. Notice shall be sent within five days of the time limits set forth in Sections 4642 and 4643.

(e) The advance notice specified in subdivision (a) shall not be required when a reduction, termination, or change in services is determined to be necessary for the health and safety of the recipient. However, adequate notice shall be given within 10 days after such service agency action.

SEC. 8. Section 4710.5 of the Welfare and Institutions Code is amended to read:

4710.5. (a) Any applicant for or recipient of services, or authorized representative of such applicant or recipient who is dissatisfied with any decision or action of the service agency which he or she believes to be illegal, discriminatory, or not in the recipient's or applicant's best interests, shall, upon filing a request within 30 days after notification of the decision or action complained of, be afforded an opportunity for a fair hearing.

(b) The request for a fair hearing shall be stated in writing on a hearing request form provided by the service agency, or in other written form.

(c) If any person makes a verbal request for a fair hearing, the employee of the service agency who hears the request shall provide the person with a fair hearing form and shall assist the person in filling out such form if the person requires or requests assistance. Any employee who willfully fails to comply with this requirement shall be guilty of a misdemeanor.

(d) The hearing request shall be directed to the director of the service agency responsible for the action complained of under subdivision (a). The service agency director shall send a copy of the appeal form to the department within five days of the service agency director's receipt of the request. The department shall keep a file of all hearing request forms.

SEC. 9. Section 4710.6 of the Welfare and Institutions Code is amended to read:

4710.6. (a) Upon receipt by the service agency director of the appeal form, the service agency director shall immediately notify in writing the claimant, the claimant's guardian or conservator, parent of a minor, and authorized representative of the claimant's fair hearing rights, including:

(1) The opportunity to be present in all proceedings and to present written and oral evidence.

(2) The opportunity to confront and cross-examine witnesses.

(3) The right to appear in person with counsel or other representatives of his or her own choosing.

(4) The right to access to records pursuant to Article 5 (commencing with Section 4725).

(5) The right to an interpreter.

(b) The written notification of rights pursuant to subdivision (a) shall also include the following:

(1) Information on availability of advocacy assistance, including referral to the state hospital or regional center clients' rights advocate, area board, publicly funded legal services corporations, and other publicly or privately funded advocacy organizations, including the protection and advocacy system required under federal Public Law 95-602, the Developmental Disabilities Assistance and Bill of Rights Act.

(2) The proposed date, time and place for the informal meeting with the service agency director or the director's designee.

(3) Information that the informal meeting shall be held within 10 days of the receipt of the hearing request form specified in subdivision (a).

SEC. 10. Section 4710.7 of the Welfare and Institutions Code is amended to read:

4710.7. Within 10 days of the receipt of the request for a fair hearing, the service agency director, or his or her designee shall meet informally with the claimant and his or her authorized representative to resolve the issue or issues that are the subject of the appeal, as follows:

(a) The informal meeting may not be waived by either party. It shall be conducted by the service agency director or his or her designee. The service agency director or his or her designee shall notify the applicant or recipient and his or her authorized representative of the decision of the informal meeting in writing within five days of the meeting.

(b) The written decision of the service agency director or his or her designee shall:

(1) Identify the issues presented by the appeal.

(2) Rule on each issue identified.

(3) State the facts supporting each ruling.

(4) Identify the laws, regulations, and policies upon which each ruling is based.

(5) Explain the procedure for appealing the service agency director's decision to the responsible state agency director.

(c) Prior to the meeting, the claimant or his or her authorized representative shall have the right to examine any documents contained in the individual's service agency file. Access to records shall be provided pursuant to Article 5 (commencing with Section 4725).

SEC. 11. Section 4710.8 is added to the Welfare and Institutions Code, to read:

4710.8. (a) At the informal meeting, the claimant shall have the rights stated pursuant to subdivision (a) of Section 4710.6.

(b) If, in the opinion of any person, the rights or best interests of a claimant who has not personally authorized a representative will not be properly protected or advocated in any appeals procedure,

the local area board and the service agency clients' rights advocate shall be notified, and the area board may appoint a representative to assist the claimant in such appeals procedure. The appointment shall be made in writing to the authorized representative and a copy of the appointment shall be immediately mailed to the service agency director.

(c) The informal meeting shall be held at a place reasonably convenient to the claimant and the authorized representative.

(d) The informal meeting shall be conducted in the English language. However, if the claimant, the claimant's guardian or conservator, the parent of a minor claimant, or the authorized representative does not understand English, an interpreter shall be provided who is competent and acceptable to both the person requiring the interpreter and the service agency director or the director's designee. Any cost of an interpreter shall be borne by the service agency.

(e) The notification of the decision shall state that the decision shall go into effect 10 days after receipt of the decision by the claimant or authorized representative and that it shall be the final administrative decision unless the claimant appeals to the responsible state agency. The notification shall state that if the claimant or the authorized representative disagrees with the decision of the service agency director or designee, he or she may appeal the decision by submitting a written request for a fair hearing to the service agency within 10 days of the receipt of the decision of the service agency director.

(g) Nothing in this section shall preclude a process of mediation mutually agreed to by both parties. That mediation shall not affect the time limitations set forth in this chapter.

SEC. 12. Section 4710.9 is added to the Welfare and Institutions Code, to read:

4710.9. (a) If the claimant or the authorized representative disagrees with the decision of the service agency director or the director's designee, he or she may appeal that decision by submitting a written request for a fair hearing to the service agency within 10 days of receipt of the service agency director's decision.

(b) Upon receipt of a request for a fair hearing, the service agency shall immediately forward the request with copies of the service agency director's decision and the appointment of an authorized representative by a claimant or an area board, if any, to the director of the responsible state agency.

(c) The request for a fair hearing shall include the name, address, and birth date of the claimant, the name, address, and relationship to the claimant of the authorized representative, date of request, the grounds of the appeal, and any recommendation for consolidation.

SEC. 13. Section 4711 of the Welfare and Institutions Code is repealed.

SEC. 14. Section 4711 is added to the Welfare and Institutions Code, to read:

4711. Upon receipt of the request for fair hearing, the responsible state agency director shall immediately notify the claimant, the claimant's legal guardian or conservator, the parent of a minor claimant, the claimant's authorized representative, and the service agency director in writing of all the following:

(a) Receipt of the request for a fair hearing and of a copy of the decision of the service agency director.

(b) The time, place, and date of the fair hearing.

(c) The rights of the parties at the fair hearing pursuant to Section 4710.6.

(d) The availability of advocacy assistance pursuant to paragraph (1) of subdivision (b) of Section 4710.6.

(e) The name, address, and telephone number of the person at the responsible state agency to whom a request for continuance or consolidation may be addressed.

SEC. 15. Section 4711.5 of the Welfare and Institutions Code is repealed.

SEC. 16. Section 4711.6 of the Welfare and Institutions Code is repealed.

SEC. 17. Section 4712 of the Welfare and Institutions Code is repealed.

SEC. 18. Section 4712 is added to the Welfare and Institutions Code, to read:

4712. (a) The fair hearing shall be held within 20 days of the receipt of request for fair hearing by the responsible state agency director. Either party may request a continuance, which shall be granted at the discretion of the responsible state agency. Should either party disagree with the decision of the responsible state agency, the issue shall be referred for final decision to the hearing officer, unless the hearing officer determines that good cause exists for an additional continuance. A continuance for good cause beyond 30 days of the receipt of the request for fair hearing shall not affect the provision of services pending a final administrative decision. For purposes of this section, good cause includes, but is not limited to, the following circumstances:

(1) Death of a spouse, parent, child, brother, sister, grandparent of the claimant or authorized representative, or legal guardian or conservator of the claimant.

(2) Personal illness or injury of the claimant or authorized representative.

(3) Sudden and unexpected emergencies, including, but not limited to, court appearances of the claimant or authorized representative, conflicting schedules of the authorized representative if the conflict is beyond the control of the authorized representative.

(4) Unavailability of a witness or evidence, the absence of which would result in serious prejudice to the claimant. Any continuance shall not extend the time for a hearing beyond 30 days of receipt of the request for the fair hearing.

(b) Notwithstanding Sections 19130, 19131, and 19132 of the Government Code, the department shall contract for the provision of independent hearing officers. Hearing officers shall have had at least two years of full-time legal training at a California or American Bar Association accredited law school or the equivalent in training and experience as established by regulations to be promulgated by the department pursuant to Section 4705. These hearing officers shall receive training in the law and regulations governing services to developmentally disabled individuals and administrative hearings. The State Department of Developmental Services shall seek the advice of the State Council on Developmental Disabilities in the development of training materials and the implementation of training procedures by the department.

(c) The hearing officer shall not be an employee, agent, board member, or contractor of the service agency against whose action the appeal has been filed, or a spouse, parent, child, brother, sister, grandparent, legal guardian, or conservator of the claimant, or any person who has a direct financial interest in the outcome of the fair hearing, or any other interest which would preclude a fair and impartial hearing.

(d) When requested by the hearing officer, a service agency shall provide information relevant to the matter under appeal to the hearing officer prior to the fair hearing. Immediate notice of the documents provided to the hearing officer shall be mailed by the service agency to the claimant and the authorized representative, either of whom may submit additional documentation to the hearing officer prior to the hearing.

(e) The fair hearing shall be held at a time and place reasonably convenient to the claimant and the authorized representative.

(f) Merits of a pending fair hearing shall not be discussed between the hearing officer and a party outside the presence of the other party.

(g) Each member of the appeals board shall be knowledgeable of the federal and state laws, regulations, and policies pertaining to services for persons with developmental disabilities.

(h) The hearing officer shall voluntarily disqualify himself or herself and withdraw from any case in which he or she cannot accord a fair and impartial hearing or consideration. Any party may request the disqualification of the hearing officer by filing an affidavit, prior to the taking of evidence at a hearing, stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded. The issue shall be decided by the hearing officer.

(i) Both parties to the fair hearing shall have the rights specified in subdivision (a) of Section 4710.6.

(j) The fair hearing need not be conducted according to the technical rules of evidence and those related to witnesses. Any relevant evidence shall be admitted. All testimony shall be under oath or affirmation which the hearing officer is empowered to administer.

(k) A recording shall be made of the proceedings before the hearing officer. Any cost of recording shall be borne by the responsible state agency.

(*l*) The fair hearing shall be conducted in the English language. However, if the claimant, the claimant's guardian or conservator, parent of a minor claimant, or authorized representative does not understand English, an interpreter shall be provided by the responsible state agency.

(m) The fair hearing shall be open to the public except at the request of the claimant or authorized representative or when personnel matters are being reviewed.

SEC. 18.5. Section 4712.2 is added to the Welfare and Institutions, to read:

4712.2. (a) Two or more claimants with a common complaint, or their authorized representatives, or a service agency may request the consolidation of appeals involving a common question or law or fact. The responsible state agency may grant the request for consolidation if it finds that consolidation would not result in prejudice or undue inconvenience to any party, undue delay, or a violation of any claimant's right to confidentiality unless the claimant agrees to have otherwise confidential information revealed to other claimants. Requests for consolidation shall be forwarded to the responsible state agency, and postmarked within five working days of the receipt of the notice sent pursuant to Section 4711. The responsible state agency shall notify the parties and authorized representatives, if any, of a request for consolidation and shall afford an opportunity for any written objections to be submitted. If either party objects to the decision of the responsible state agency, the issue shall be referred for final decision to the hearing officer.

(b) In all consolidated hearings, each individual claimant shall have all the rights specified in subdivision (a) of Section 4710.6. A separate written decision shall be issued to each claimant and respective authorized representatives.

SEC. 19. Section 4712.5 of the Welfare and Institutions Code is amended to read:

4712.5. (a) Within 10 days of the concluding day of the state hearing, the hearing officer shall render a written decision.

(b) The hearing officer's decision shall be in ordinary and concise language. It shall contain the following:

(1) A summary of facts, a statement of the evidence from the proceedings which was relied on, a decision on each of the issues presented, and identification of the statutes, regulations, and policies supporting the decision. The decision shall be in ordinary and concise language.

(2) Notification that this is the final administrative decision, both parties shall be bound thereby, and either party may appeal any final administrative decision to a court of competent jurisdiction within 90 days.

SEC. 20. Section 4713 is added to the Welfare and Institutions

Code, to read:

4713. (a) If the hearing officer's decision is unfavorable to the claimant, and the claimant has been receiving the services which have been the subject of the appeal, the hearing officer's decision shall not be implemented until 10 days after receipt of certified mailing to the claimant and the authorized representative.

(b) If the claimant, the claimant's guardian or conservator, parent of a minor claimant, or authorized representative cannot understand English, the written decision shall be provided by the responsible state agency to that person in English and in such language which such person comprehends.

SEC. 22. Section 4715 of the Welfare and Institutions Code is amended to read:

4715. (a) Except as otherwise provided in this section, if a request for a hearing is postmarked or received by the service agency no later than 10 days after receipt of the notice of the proposed action mailed pursuant to subdivision (a) of Section 4710, services that are being provided pursuant to a recipient's individual program plan shall be continued during the appeal procedure up to and including the 10th day after receipt of the certified mailing of either of the following final administrative decisions:

(1) The service agency director's decision if the right to appeal from the service agency director's decision is not exercised.

(2) The decision of the hearing officer, if the right to appeal from the service agency director's decision is exercised.

(b) Services continued pursuant to subdivision (a) may be modified by agreement of the parties in accordance with the decision of the interdisciplinary team and the individual program plan.

(c) Any appeal to a court by either party shall not operate as a stay of enforcement of the final administrative decision, provided that either party may seek a stay of enforcement from any court of competent jurisdiction.

SEC. 23. Section 4728 of the Welfare and Institutions Code is amended to read:

4728. Each service agency shall adopt procedures for granting of requests by persons authorized under Section 4726 for access to records during regular business hours, provided that access shall be granted no later than three business days following the date of receipt of the oral or written request for access. Procedures shall include notice of the location of all records and the provision of qualified personnel to interpret records if requested.

SEC. 24. Notwithstanding any other provisions of law, on the operative date of this act, the unencumbered balances of the appropriations provided in the following citations are reappropriated for transfer to and in augmentation of Item 4300-101-001 of the Budget Act of 1982, and shall be available for expenditure or allocation, or both, by the Director of Developmental Services.

(a) Sec. 10.60 of the Budget Act of 1978, Fire and Life Safety (5), Unit 8, Fairview State Hospital

(b) Sec. 10.60 of the Budget Act of 1978, Fire and Life Safety (9), RTC Building, Napa State Hospital

(c) Sec. 10.60 of the Budget Act of 1978, Fire and Life Safety (10), Unit 195, Napa State Hospital

(d) Sec. 10.60 of the Budget Act of 1978, Fire and Life Safety (18), Building V, Patton State Hospital

(e) Sec. 10.60 of the Budget Act of 1978, Fire and Life Safety (19), Building N, Patton State Hospital

(f) Sec. 10.60 of the Budget Act of 1978, Fire and Life Safety (22), Working Drawings, Porterville State Hospital

(g) Sec. 10.60 of the Budget Act of 1978, Environmental (1), Buildings 51-52-53, Agnews State Hospital

(h) Sec. 10.60 of the Budget Act of 1978, Environmental (15), Building 20, Patton State Hospital

(i) Sec. 10.60 of the Budget Act of 1978, Environmental (19), M Units 2, 4, 6, 7, 8, 9, 10, Porterville State Hospital

(j) Sec. 10.60 of the Budget Act of 1978, Environmental (20), M Units 5, 12, 13, 15, Porterville State Hospital

(k) Sec. 10.60 of the Budget Act of 1978, Environmental (22), Regamy, Emporan, Johnson, Sonoma State Hospital

(*l*) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(a) of the Statutes of 1979, Porterville State Hospital

(m) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(a) of the Statutes of 1979, Pacific State Hospital

(n) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(a) of the Statutes of 1979, Fairview State Hospital

(o) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(a) of the Statutes of 1979,
Stockton State Hospital

(p) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(b)(4) of the Statutes of 1979,
Paxton, McDougall, Roadruck and Osborne—
Preliminary plans and working drawings
Sonoma State Hospital

(q) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(c)(2) of the Statutes of 1979,
Camarillo State Hospital
Buildings 13, 15, 16, 17, 21, 23, 26, 28, and 29

(r) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(c)(3) of the Statutes of 1979,
Patton State Hospital
Buildings A/B, C/D, H, and J

(s) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(d)(3) of the Statutes of 1979,
Frank D. Lanterman State Hospital

(t) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(d)(4) of the Statutes of 1979,
Porterville State Hospital

(u) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(d)(5) of the Statutes of 1979,
Sonoma State Hospital

(v) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(d)(6) of the Statutes of 1979,
Napa State Hospital

(w) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(f)(1) of the Statutes of 1979,
Camarillo State Hospital

(x) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(f)(2) of the Statutes of 1979,
Fairview State Hospital

(y) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(f)(3) of the Statutes of 1979,

Frank D. Lanterman State Hospital

(z) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(f)(4) of the Statutes of 1979,
Porterville State Hospital

(aa) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(f)(5) of the Statutes of 1979,
Sonoma State Hospital

(bb) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(f)(6) of the Statutes of 1979,
Napa State Hospital

(cc) Item 468(e) of the Budget Act of 1978,
Napa State Hospital
Install Emergency Power

(dd) Item 468(f) of the Budget Act of 1978,
Patton State Hospital
Install Emergency Power, Phase II, working drawings

(ee) Item 468(g) of the Budget Act of 1978,
Stockton State Hospital
Replace Boilers—Construction

(ff) Item 468(i) of the Budget Act of 1978,
Napa State Hospital
Alterations to Electrical Distribution System,
Phase II—Construction

(gg) Item 468 of the Budget Act of 1978, as added by Section 1 of Chapter 64(e) of the Statutes of 1979,
Porterville State Hospital
Purchase or Lease with Option to Purchase of
Temporary Facilities

(hh) Item 471(a)(1) of the Budget Act of 1979,
Agnews State Hospital
Buildings 51, 52 and 53—Working Drawings and
Construction

(ii) Item 471(a)(4) of the Budget Act of 1979,
Environmental Improvements, Buildings 60, 61, 64, 66
Camarillo State Hospital

(jj) Item 471(a)(6) of the Budget Act of 1979,
Fairview State Hospital
Fire and Life Safety and Environmental Improvements

(kk) Item 471(a)(7) of the Budget Act of 1979,

Fairview State Hospital
Fire and Life Safety and Environmental Improvements

(*ll*) Item 471 (a) (13) of the Budget Act of 1979, Napa State Hospital
Fire and Life Safety and Environmental Improvements

(mm) Item 471 (a) (14) of the Budget Act of 1979, Napa State Hospital
Fire and Life Safety and Environmental Improvements

(nn) Item 471 (a) (17) of the Budget Act of 1979, Porterville State Hospital
Fire and Life Safety and Environmental Improvements

(oo) Item 471 (a) (18) of the Budget Act of 1979, Porterville State Hospital
Fire and Life Safety and Environmental Improvements

(pp) Item 417 (a) 20) of the Budget Act of 1979, Sonoma State Hospital
Fire and Life Safety and Environmental Improvements

(qq) Item 417 (a) (27) of the Budget Act of 1979, Stockton State Hospital
Fire and Life Safety and Environmental Improvements

(rr) Item 471 (1) (29) of the Budget Act of 1979, Stockton State Hospital
Environmental Improvements, RTC Building

(ss) Item 471 (d) of the Budget Act of 1979, Camarillo State Hospital
Heavy Duty Flyscreens—Preliminary Plans

(tt) Item 471 (e) of the Budget Act of 1979, Fairview State Hospital
Install Emergency Electrical Power, Phase II

(uu) Item 471 (f) of the Budget Act of 1979, Napa State Hospital
Replace Hot Water Circulating Piping—Preliminary Plans

SEC. 25. Notwithstanding any other provision of law, the Legislature reaffirms its intent pursuant to Item 430-301-189 of the Budget Act of 1981 which stated, among other things, that, "in the event Federal regulations are adopted which extend the July, 1982 deadline to correct fire and life safety and environmental improvements deficiencies, up to eight million dollars ($8,000,000) of

the funds appropriated in schedule (b) of Item 430-101-036 shall be available to develop new programs for state hospital clients through separate performance contracts with regional centers." In accordance with the adoption of federal regulations during August, 1982, extending the July, 1982, deadline to July, 1987, on or before August 1, 1983. the State Department of Developmental Services shall develop and submit a plan to the Department of Finance for the expenditure during the 1983–84, 1984–85, and 1985–86 fiscal years.

SEC. 26. Notwithstanding subdivision (c) of Section 4630, in order to provide standards for the consistent provision of services and related administrative practices by regional centers throughout the state, the Director of Developmental Services shall, after consultation with the State Council on Developmental Disabilities, the Association of Regional Center Agencies, and the Organization of Area Boards, adopt emergency regulations by July 1, 1983, to govern the allocation of resources among regional centers, to implement Section 4631 of the Welfare and Institutions Code, and to establish standards for the individual program planning and implementation responsibilities set forth in Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code. These emergency regulations shall be adopted pursuant to the Administrative Procedures Act contained in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For purposes of the Administrative Procedures Act, the adoption of these emergency regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety or general welfare for purposes of subdivision (b) of Section 11346.1 of the Government Code. This section and the emergency regulations required to be adopted by this section shall remain in effect only until July 1, 1984, and as of that date are repealed unless a later enacted statute, which is chaptered before July 1, 1984, deletes or extends that date. In the event that the Office of Administrative Law orders the repeal of any part of these emergency regulations pursuant to Section 11349.6 of the Government Code, notwithstanding any other provision of law, the emergency regulations affected by any order of repeal shall remain in effect for 30 days following the date of the order of repeal.

(b) It is the intent of the Legislature in enacting this section to ensure that regional centers administer the annual contract pursuant to the provisions of the emergency regulations and within the level of funding available pursuant to Section 4633 of the Welfare and Institutions Code.

(c) Within 30 days of the receipt of the annual contract allocation, each regional center shall notify the department of the sufficiency of the allocation, using a format mutually agreed to by the department and the regional centers.

(d) If the director determines that the amount of funds encumbered in the annual regional center contracts are insufficient for regional centers to provide and purchase services at the levels

projected through the end of the 1983–84 fiscal year, the department shall notify each regional center of the department's estimate of the amount of the projected deficit and the basis upon which the deficit was determined.

(e) Within 30 days following the department's notification to regional centers of the projected deficit, pursuant to subdivision (d), each regional center shall prepare and submit a plan of action to the department, and provide a copy of that plan to the local area board. The plan of action shall include adjustments in expenditure levels consistent with the priorities established in the emergency regulations and the level of funding in the regional center contract. The failure of a regional center to submit a plan to the department shall constitute grounds for nonrenewal of the annual regional center contract.

(f) The department, upon receipt of the plans of action submitted by regional centers, shall review the plans in order to determine compliance with the regulations adopted pursuant to subdivision (a) and to determine whether the plan adequately addresses the projected deficiency in funding. The department shall also make a determination of the extent to which implementation of the plans may result in service inequities among regional center catchment areas. The department shall notify each regional center of the results of its review of the individual plans of action.

(g) Based upon its review, the department shall notify the regional centers and report to the Joint Legislative Budget Committee regarding the anticipated actions that will be taken to reduce expenditures, reallocate existing funds, or secure additional funds.

SEC. 27. It is the intent of the Legislature to direct a review of the state's mechanism of funding services for persons with developmental disabilities, including funding of regional centers and state hospitals, and related management and organizational issues.

SEC. 28. Notwithstanding any other provision of law, Sections 2 to 23, inclusive, of this act shall become operative October 1, 1983.

SEC. 29. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that the provisions of this act apply to as much of the 1982–83 fiscal year as possible, and in order to ensure that persons with developmental disabilties are placed in the least restrictive environment, it is necessary that this act take effect immediately.

CONCURRENT RESOLUTIONS

1983–84

FIRST EXTRAORDINARY SESSION

1983–84 RESOLUTION CHAPTERS

RESOLUTION CHAPTER 1

Assembly Concurrent Resolution No. 1—Relative to the Joint Rules of the Senate and Assembly.

[Filed with Secretary of State December 10, 1982.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Temporary Joint Rules of the Senate and Assembly for the 1981–82 Regular Session are hereby adopted as the Temporary Joint Rules of the Senate and Assembly for the 1983–84 First Extraordinary Session, with the following exceptions:

(1) That provision of Joint Rule 29.5(a) requiring notice of a meeting of a conference committee be published in the Daily File is not adopted.

(2) The first sentence of Joint Rule 33 is amended to read: "No Joint Rule shall be dispensed with except by a vote of the membership of each house, in the manner provided by the rules of each house."

(3) Joint Rule 51 is not adopted.

(4) Joint Rule 55 is not adopted.

(5) Joint Rule 61 is not adopted.

(6) That provision of Joint Rule 62(a) requiring notice of a hearing of a bill be published in the Daily File is not adopted.

RESOLUTION CHAPTER 2

Senate Concurrent Resolution No. 2—Relative to the cash flow and budget deficit problems faced by the state's General Fund.

[Filed with Secretary of State January 5, 1983]

WHEREAS, The Governor has the ability to reduce expenditures through administrative action that does not require legislative approval; and

WHEREAS, A lead time is needed to implement a program of revenue increases or revenue reductions; and

WHEREAS, Revenue enhancements and expenditure cuts must be twice as large as otherwise in order to produce the necessary room in the budget, since they can only be in effect for a maximum of six months; and

WHEREAS, Funding already granted is inherently difficult to take away; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature requests the Governor to: (1) impose a freeze on hiring and promotions, except that, the investment staff of the Public Employees' Retirement System and the State Teachers' Retirement System shall be exempt from the

freeze (2) halt equipment purchases and contracting, and (3) prevent approved capital outlay projects from going forward.
