MEASURES SUBMITTED TO VOTE OF ELECTORS

Primary Election, June 5, 1990, and
General Election, November 6, 1990

MEASURES SUBMITTED TO VOTE OF ELECTORS

Primary Election, June 5, 1990

MEASURES ADOPTED

CONSTITUTIONAL AMENDMENTS SUBMITTED BY LEGISLATURE

Number on ballot

109. **Governor's Review of Legislation. Legislative Deadlines.** (Statutes 1988, Resolution Chapter 74, ACA 54)

110. **Property Tax Exemption for Severely Disabled Persons.** (Statutes 1988, Resolution Chapter 102, SCA 37)

111. **The Traffic Congestion Relief and Spending Limitation Act of 1990.** (Statutes 1989, Resolution Chapter 66, SCA 1)

112. **State Officials, Ethics, Salaries. Open Meetings.** (Statutes 1989, Resolution Chapter 167, SCA 32)

INITIATIVE AMENDMENTS SUBMITTED BY LEGISLATURE

113. **Practice of Chiropractic.** (Statutes 1988, Chapter 1094, SB 2751)

114. **Murder of a Peace Officer. Criminal Penalties. Special Circumstance. Peace Officer Definition.** (Statutes 1989, Chapter 1165, SB 353)

INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE

115. **Criminal Law.**

INITIATIVE STATUTES

116. **Rail Transportation. Bond Act.**

117. **Wildlife Protection.**

BOND ACTS SUBMITTED BY LEGISLATURE

107. **Housing and Homeless Bond Act of 1990.** (Statutes 1988, Chapter 48, SB 1693)

108. **Passenger Rail and Clean Air Bond Act of 1990.** (Statutes 1989, Chapter 108, AB 973)

120. **New Prison Construction Bond Act of 1990.** (Statutes 1990, Chapter 5, SB 842)

121. **Higher Education Facilities Bond Act of June 1990.** (Statutes 1990, Chapter 6, SB 147)

122. **Earthquake Safety and Public Buildings Rehabilitation Bond Act of 1990.** (Statutes 1990, Chapter 23, SB 1250)

123. **1990 School Facilities Bond Act.** (Statutes 1990, Chapter 24, SB 173)

MEASURES DEFEATED

INITIATIVE CONSTITUTIONAL AMENDMENTS AND STATUTES

Number on ballot

118. **Legislature. Reapportionment. Ethics.**

119. **Reapportionment by Commission.**

MEASURES SUBMITTED TO VOTE OF ELECTORS

General Election, November 6, 1990

MEASURES ADOPTED

CONSTITUTIONAL AMENDMENT SUBMITTED BY LEGISLATURE

Number on ballot

127. **Earthquake Safety. Property Tax Exclusion.** (Statutes 1990, Resolution Chapter 57, SCA 33)

INITIATIVE CONSTITUTIONAL AMENDMENTS

132. **Marine Resources.**

140. **Limits on Terms of Office, Legislators' Retirement, Legislative Operating Costs.**

INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE

139. **Prison Inmate Labor. Tax Credit.**

BOND ACTS SUBMITTED BY LEGISLATURE

142. **Veterans' Bond Act of 1990.** (Statutes 1990, Chapter 573, SB 2755)

146. **School Facilities Bond Act of 1990.** (Statutes 1990, Chapter 578, AB 236)

MEASURES DEFEATED

CONSTITUTIONAL AMENDMENTS SUBMITTED BY LEGISLATURE

Number on ballot

124. **Local Hospital Districts.** (Statutes 1990, Resolution Chapter 6, ACA 29)

125. **Motor Vehicle Fuels Tax. Rail Transit Funding.** (Statutes 1990, Resolution Chapter 55, ACA 32)

126. **Alcoholic Beverages. Taxes.** (Statutes 1990, Resolution Chapter 56, ACA 38)

INITIATIVE CONSTITUTIONAL AMENDMENTS

136. **State, Local Taxation.**

137. **Initiative and Referendum Process.**

INITIATIVE CONSTITUTIONAL AMENDMENTS AND STATUTES

129. **Drug Enforcement, Prevention, Treatment, Prisons. Bonds.**

131. **Limits on Terms of Office. Ethics. Campaign Financing.**

134. **Alcohol Surtax.**

LEGISLATIVE STATUTE SUBMITTED BY LEGISLATURE

141. **Toxic Chemical Discharge. Public Agencies.** (Statutes 1990, Chapter 407, SB 65)

INITIATIVE STATUTES

128. **Environment. Public Health. Bonds.**

130. **Forest Acquisition. Timber Harvesting Practices. Bond Act.**

133. **Drug Enforcement and Prevention. Taxes. Prison Terms.**

135. **Pesticide Regulation.**

138. **Forestry Programs. Timber Harvesting Practices. Bond Act.**

BOND ACTS SUBMITTED BY LEGISLATURE

143. **Higher Education Facilities Bond Act of November 1990.** (Statutes 1990, Chapter 575, AB 2479)

144. **New Prison Construction Bond Act of 1990-B.** (Statutes 1990, Chapter 576, AB 524)

145. **California Housing Bond Act of 1990.** (Statutes 1990, Chapter 577, SB 2456)

147. **County Correctional Facility Capital Expenditure and Juvenile Facility Bond Act of 1990.** (Statutes 1990, Chapter 579, SB 1094)

148. **Water Resources Bond Act of 1990.** (Statutes 1990, Chapter 919, AB 1312)

149. **California Park, Recreation, and Wildlife Enhancement Act of 1990.** (Statutes 1990, Chapter 920, AB 145)

150. **County Courthouse Facility Capital Expenditure Bond Act of 1990.** (Statutes 1990, Chapter 921, AB 2180)

151. **Child Care Facilities Financing Act of 1990.** (Statutes 1990, Chapter 922, SB 78)

State of California

OFFICE OF THE SECRETARY OF STATE

I, MARCH FONG EU, Secretary of State of the State of California, hereby certify, based on records on file in my office;

That pursuant to Government Code § 9766, Subd. (d), the following are the results of all elections upon any initiative or referendum measures submitted to the electors of the State within the Calendar Year 1990.

The following laws were adopted by vote of the electors at the June 5, 1990, primary election:

Practice of Chiropractic. Legislative Initiative Amendment (Senate Bill 2751, Statutes of 1988, Chapter 1094)
Murder of a Peace Officer. Criminal Penalties Special Circumstance Peace Officer Definition. Legislative Initiative Amendment. (Senate Bill 353, Statutes of 1989, Chapter 1165)
Criminal Law Initiative Constitutional Amendment and Statute.
Rail Transportation Bond Act. Initiative Statute
Wildlife Protection. Initiative Statute.

The following proposed laws were defeated by vote of the electors at the June 5, 1990, primary election:

Legislature. Reapportionment. Ethics Initiative Constitutional Amendment and Statute.
Reapportionment by Commission. Initiative Constitutional Amendment and Statute.

The following laws were adopted by vote of the electors at the November 6, 1990, general election:

Marine Resources. Initiative Constitutional Amendment
Prison Inmate Labor Tax Credit Initiative Constitutional Amendment and Statute
Limits on Terms of Office, Legislators' Retirement, Legislative Operating Costs Initiative Constitutional Amendment

The following proposed laws were defeated by vote of the electors at the November 6, 1990, general election:

Environment Public Health. Bonds. Initiative Statute
Drug Enforcement, Prevention, Treatment, Prisons. Bonds Initiative Constitutional Amendment and Statute
Forest Acquisition. Timber Harvesting Practices. Bond Act. Initiative Statute
Limits on Terms of Office. Ethics Campaign Financing Initiative Constitutional Amendment and Statute
Drug Enforcement and Prevention. Taxes. Prison Terms. Initiative Statute
Alcohol Surtax. Constitutional Amendment. Initiative Statute
Pesticide Regulation Initiative Statute
State, Local Taxation. Initiative Constitutional Amendment
Initiative and Referendum Process. Initiative Constitutional Amendment
Forestry Programs. Timber Harvesting Practices. Bond Act Initiative Statute
Toxic Chemical Discharge. Public Agencies. Legislative Statute (Senate Bill 65, Statutes of 1990, Chapter 407)



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, at Sacramento, this 9th day of January, 1991.

March Fong Eu

MARCH FONG EU
Secretary of State

PROPOSITIONS SUBMITTED TO VOTE OF ELECTORS

Primary Election, June 5, 1990

MEASURES ADOPTED

CONSTITUTIONAL AMENDMENTS SUBMITTED BY LEGISLATURE

Number on ballot

109. **Governor's Review of Legislation. Legislative Deadlines.** (Statutes 1988, Resolution Chapter 74, ACA 54)

[Approved by electors June 5, 1990.]

PROPOSED AMENDMENTS TO ARTICLES II AND IV

First—That Section 9 of Article II is amended to read:

SEC. 9. (a) The referendum is the power of the electors to approve or reject statutes or parts of statutes except urgency statutes, statutes calling elections, and statutes providing for tax levies or appropriations for usual current expenses of the State.

(b) A referendum measure may be proposed by presenting to the Secretary of State, within 90 days after the enactment date of the statute, a petition certified to have been signed by electors equal in number to 5 percent of the votes for all candidates for Governor at the last gubernatorial election, asking that the statute or part of it be submitted to the electors. *In the case of a statute enacted by a bill passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, the petition may not be presented on or after January 1 next following the enactment date unless a copy of the petition is submitted to the Attorney General pursuant to subdivision (d) of Section 10 of Article II before January 1.*

(c) The Secretary of State shall then submit the measure at the next general election held at least 31 days after it qualifies or at a special statewide election held prior to that general election. The Governor may call a special statewide election for the measure.

Second—That Section 8 of Article IV is amended to read:

SEC. 8. (a) At regular sessions no bill other than the budget bill may be heard or acted on by committee or either house until the 31st day after the bill is introduced unless the house dispenses with this requirement by rollcall vote entered in the journal, three fourths of the membership concurring.

(b) The Legislature may make no law except by statute and may enact no statute except by bill. No bill may be passed unless it is read by title on 3 days in each house except that the house may dispense with this requirement by rollcall vote entered in the journal, two thirds of the membership concurring. No bill may be passed until the bill with amendments has been printed and distributed to the members. No bill may be passed unless, by rollcall vote entered in the journal, a majority of the membership of each house concurs.

(c) (1) Except as provided in ~~paragraph~~ *paragraphs* (2) *and (3)* of this subdivision, a statute enacted at a regular session shall go into effect on January

1 next following a 90-day period from the date of enactment of the statute and a statute enacted at a special session shall go into effect on the 91st day after adjournment of the special session at which the bill was passed.

(2) *A statute, other than a statute establishing or changing boundaries of any legislative, congressional, or other election district, enacted by a bill passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, shall go into effect on January 1 next following the enactment date of the statute unless, before January 1, a copy of a referendum petition affecting the statute is submitted to the Attorney General pursuant to subdivision (d) of Section 10 of Article II, in which event the statute shall go into effect on the 91st day after the enactment date unless the petition has been presented to the Secretary of State pursuant to subdivision (b) of Section 9 of Article II.*

(3) Statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the ~~State~~ *state*, and urgency statutes shall go into effect immediately upon their enactment.

(d) Urgency statutes are those necessary for immediate preservation of the public peace, health, or safety. A statement of facts constituting the necessity shall be set forth in one section of the bill. In each house the section and the bill shall be passed separately, each by rollcall vote entered in the journal, two thirds of the membership concurring. An urgency statute may not create or abolish any office or change the salary, term, or duties of any office, or grant any franchise or special privilege, or create any vested right or interest.

Third—That Section 10 of Article IV is amended to read:

SEC. 10. (a) Each bill passed by the Legislature shall be presented to the Governor. It becomes a statute if it is signed by the Governor. The Governor may veto it by returning it with any objections to the house of origin, which shall enter the objections in the journal and proceed to reconsider it. If each house then passes the bill by rollcall vote entered in the journal, two thirds of the membership concurring, it becomes a statute. ~~A bill presented to the Governor that is not returned within 12 days becomes a statute; provided, that any bill passed by the Legislature before September 1 of the second calendar year of the biennium of the legislative session and in the possession of the Governor on or after September 1 that is not returned by the Governor on or before September 30 of that year becomes a statute. The Legislature may not present to the Governor any bill after November 15 of the second calendar year of the biennium of the legislative session. If the Legislature by adjournment of a special session prevents the return of a bill with the veto message, the bill becomes a statute unless the Governor vetoes the bill within 12 days by depositing it and the veto message in the office of the Secretary of State.~~

(b) (1) Any bill, other than a bill which would establish or change boundaries of any legislative, congressional, or other election district, passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, that is not returned within 30 days after that date becomes a statute.

(2) Any bill passed by the Legislature before September 1 of the second calendar year of the biennium of the legislative session and in the possession of the Governor on or after September 1 that is not returned on or before September 30 of that year becomes a statute.

(3) Any other bill presented to the Governor that is not returned within 12 days becomes a statute.

(4) If the Legislature by adjournment of a special session prevents the return of a bill with the veto message, the bill becomes a statute unless the Governor vetoes the bill within 12 days after it is presented by depositing it and the veto message in the office of the Secretary of State.

(5) If the 12th day of the period within which the Governor is required to perform an act pursuant to paragraph (3) or (4) of this subdivision is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.

(c) Any bill introduced during the first year of the biennium of the legislative session that has not been passed by the house of origin by ~~the thirtieth day of January~~ *January 31* of the second calendar year of the biennium may no longer be acted on by the house. No bill may be passed by either house on or after September 1 of an even-numbered year except statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the State, and urgency statutes, and bills passed after being vetoed by the Governor.

(d) The Legislature may not present any bill to the Governor after November 15 of the second calendar year of the biennium of the legislative session

~~(b)~~ *(e)* The Governor may reduce or eliminate one or more items of appropriation while approving other portions of a bill. The Governor shall append to the bill a statement of the items reduced or eliminated with the reasons for the action. The Governor shall transmit to the house originating the bill a copy of the statement and reasons. Items reduced or eliminated shall be separately reconsidered and may be passed over the Governor's veto in the same manner as bills.

Number on ballot

110. **Property Tax Exemption for Severely Disabled Persons.** (Statutes 1988, Resolution Chapter 102, SCA 37)

[Approved by electors June 5, 1990.]

PROPOSED AMENDMENTS TO ARTICLE XIII A, SECTION 2

First—That a paragraph is added at the end of subdivision (a) of Section 2 of Article XIII A thereof, to read:

The Legislature may extend the provisions of this subdivision relating to the transfer of base year values from original properties to replacement dwellings of homeowners over the age of 55 years to severely disabled homeowners, but only with respect to those replacement dwellings purchased or newly constructed on or after the effective date of this paragraph.

Second—That subdivision (c) of Section 2 of Article XIII A thereof is amended to read:

(c) For purposes of subdivision (a), the Legislature may provide that the term "newly constructed" shall not include ~~both~~ *any* of the following:

(1) The construction or addition of any active solar energy system.

(2) The construction or installation of any fire sprinkler system, other fire extinguishing system, fire detection system, or fire-related egress improvement, as defined by the Legislature, which is constructed or installed after the effective date of this paragraph.

(3) The construction, installation, or modification on or after the effective date of this paragraph of any portion or structural component of a single or multiple

family dwelling which is eligible for the homeowner's exemption if the construction, installation, or modification is for the purpose of making the dwelling more accessible to severely disabled person.

Number on ballot

111. **The Traffic Congestion Relief and Spending Limitation Act of 1990.** (Statutes 1989, Resolution Chapter 66, SCA 1)

[Approved by electors June 5, 1990.]

PROPOSED AMENDMENTS TO ARTICLES XIII B AND XVI

First—That Section 1 of Article XIII B thereof is amended to read:

SEC. 1. The total annual appropriations subject to limitation of the state and of each local government shall not exceed the appropriations limit of ~~such~~ *the* entity of government for the prior year adjusted for *the* ~~changes~~ *change* in the cost of living and *the change in* population, except as otherwise provided in this ~~Article~~ *article*.

Second—That Section 1.5 is added to Article XIII B thereof, to read:

SEC. 1.5. The annual calculation of the appropriations limit under this article for each entity of local government shall be reviewed as part of an annual financial audit.

Third—That Section 2 of Article XIII B thereof is amended to read:

~~Section 2. Revenues in Excess of Limitation.~~

SEC. 2. (a) *(1) Fifty percent of* ~~All~~ *all* revenues received by the state in *a fiscal year and in the fiscal year immediately following it in excess of the amount which may be appropriated by the state in compliance with this article during that fiscal year and the fiscal year immediately following it shall be transferred and allocated, from a fund established for that purpose, pursuant to Section 8.5 of Article XVI*

(2) Fifty percent of all revenues received by the state in a fiscal year and in the fiscal year immediately following it in excess of ~~that~~ *the* amount which ~~is~~ *may be* appropriated by the state in compliance with this ~~Article, and which would otherwise be required, pursuant to subdivision (b) of this Section, to~~ *article during that fiscal year and the fiscal year immediately following it shall* be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years ~~, shall be transferred and allocated pursuant to Section 8.5 of Article XVI up to the maximum amount permitted by that section~~.

(b) ~~Except as provided in subdivision (a) of this Section,~~ *All* revenues received by ~~any~~ *an* entity of government, *other than the state, in a fiscal year and in the fiscal year immediately following it* in excess of ~~that~~ *the* amount which ~~is~~ *may be* appropriated by ~~such~~ *the* entity in compliance with this ~~Article~~ *article* during ~~the~~ *that* fiscal year *and the fiscal year immediately following it* shall be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years.

Fourth—That subdivision (c) of Section 3 of Article XIII B thereof is amended to read:

(c) *(1)* In the event ~~of~~ an emergency *is declared by the legislative body of an entity of government*, the ~~appropriation~~ *appropriations* limit *of the affected entity of government* may be exceeded provided that the ~~appropriation~~ *appropriations* limits in the following three years are reduced accordingly to prevent an aggregate increase in appropriations resulting from the emergency.

(2) In the event an emergency is declared by the Governor, appropriations approved by a two-thirds vote of the legislative body of an affected entity of government to an emergency account for expenditures relating to that emergency shall not constitute appropriations subject to limitation. As used in this paragraph, "emergency" means the existence, as declared by the Governor, of conditions of disaster or of extreme peril to the safety of persons and property within the state, or parts thereof, caused by such conditions as attack or probable or imminent attack by an enemy of the United States, fire, flood, drought, storm, civil disorder, earthquake, or volcanic eruption.

Fifth—That Section 8 of Article XIII B thereof is amended to read:

SEC. 8. As used in this ~~Article~~ *article* and except as otherwise expressly provided herein:

(a) "Appropriations subject to limitation" of the state ~~shall mean~~ *means* any authorization to expend during a fiscal year the proceeds of taxes levied by or for the state, exclusive of state subventions for the use and operation of local government (other than subventions made pursuant to Section 6 ~~of this Article~~) and further exclusive of refunds of taxes, benefit payments from retirement, unemployment insurance, and disability insurance funds ~~;~~.

(b) "Appropriations subject to limitation" of an entity of local government ~~shall mean~~ *means* any authorization to expend during a fiscal year the proceeds of taxes levied by or for that entity and the proceeds of state subventions to that entity (other than subventions made pursuant to Section 6 ~~of this Article~~) exclusive of refunds of taxes ~~;~~.

(c) "Proceeds of taxes" shall include, but not be restricted to, all tax revenues and the proceeds to an entity of government, from ~~(i)~~ *(1)* regulatory licenses, user charges, and user fees to the extent that ~~such~~ *those* proceeds exceed the costs reasonably borne by ~~such~~ *that* entity in providing the regulation, product, or service, and ~~(ii)~~ *(2)* the investment of tax revenues. With respect to any local government, "proceeds of taxes" shall include subventions received from the state, other than pursuant to Section 6 ~~of this Article~~, and, with respect to the state, proceeds of taxes shall exclude such subventions ~~;~~.

(d) "Local government" ~~shall mean~~ *means* any city, county, city and county, school district, special district, authority, or other political subdivision of or within the state ~~;~~.

~~(e) "Cost of living" shall mean the Consumer Price Index for the United States as reported by the United States Department of Labor, or successor agency of the United States Government; provided, however, that for purposes of Section 1, the change in cost of living from the preceding year shall in no event exceed the change in California per capita personal income from said preceding year;~~

(e) (1) "Change in the cost of living" for the state, a school district, or a community college district means the percentage change in California per capita personal income from the preceding year.

(2) "Change in the cost of living" for an entity of local government, other than a school district or a community college district, shall be either (A) the percentage change in California per capita personal income from the preceding year, or (B) the percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local nonresidential new construction. Each entity of local government shall select its change in the cost of living pursuant to this paragraph annually by a recorded vote of the entity's governing body.

(f) ~~"Population"~~ *"Change in population"* of any entity of government, other than *the state,* a school district, *or a community college district,* shall be determined by a method prescribed by the Legislature ~~, provided that such determination shall be revised, as necessary, to reflect the periodic census conducted by the United States Department of Commerce, or successor agency of the United States Government. The population of any school district shall be such school district's average daily attendance as determined by a method prescribed by the Legislature;~~.

"Change in population" of a school district or a community college district shall be the percentage change in the average daily attendance of the school district or community college district from the preceding fiscal year, as determined by a method prescribed by the Legislature.

"Change in population" of the state shall be determined by adding (1) the percentage change in the state's population multiplied by the percentage of the state's budget in the prior fiscal year that is expended for other than educational purposes for kindergarten and grades one to 12, inclusive, and the community colleges, and (2) the percentage change in the total statewide average daily attendance in kindergarten and grades one to 12, inclusive, and the community colleges, multiplied by the percentage of the state's budget in the prior fiscal year that is expended for educational purposes for kindergarten and grades one to 12, inclusive, and the community colleges.

Any determination of population pursuant to this subdivision, other than that measured by average daily attendance, shall be revised, as necessary, to reflect the periodic census conducted by the United States Department of Commerce, or successor department.

(g) "Debt service" ~~shall mean~~ *means* appropriations required to pay the cost of interest and redemption charges, including the funding of any reserve or sinking fund required in connection therewith, on indebtedness existing or legally authorized as of January 1, 1979, or on bonded indebtedness thereafter approved according to law by a vote of the electors of the issuing entity voting in an election for ~~such~~ *that* purpose.

(h) The "appropriations limit" of each entity of government for each fiscal year ~~shall be~~ *is* that amount which total annual appropriations subject to limitation may not exceed under ~~Section~~ *Sections* 1 and ~~Section~~ 3 ~~; provided, however,~~ *However,* ~~that~~ the "appropriations limit" of each entity of government for fiscal year 1978-79 ~~shall be~~ *is* the total of the appropriations subject to limitation of ~~such~~ *the* entity for that fiscal year. For fiscal year 1978–79, state subventions to local governments, exclusive of federal grants, ~~shall be~~ *are* deemed to have been derived from the proceeds of state taxes.

(i) Except as otherwise provided in Section 5, "appropriations subject to limitation" ~~shall~~ *do* not include local agency loan funds or indebtedness funds, investment (or authorizations to invest) funds of the state, or of an entity of local government in accounts at banks or savings and loan associations or in liquid securities.

Sixth—That Section 9 of Article XIII B thereof is amended to read:

SEC. 9. "Appropriations subject to limitation" for each entity of government ~~shall~~ *do* not include.

(a) ~~Debt~~ *Appropriations for debt* service.

(b) Appropriations required ~~for purposes of complying~~ *to comply* with mandates of the courts or the federal government which, without discretion, require

an expenditure for additional services or which unavoidably make the ~~providing~~ *provision* of existing services more costly.

(c) Appropriations of any special district which existed on January 1, 1978, and which did not as of the 1977–78 fiscal year levy an ad valorem tax on property in excess of 12½ cents per $100 of assessed value; or the appropriations of any special district then existing or thereafter created by a vote of the people, which is totally funded by other than the proceeds of taxes.

(d) Appropriations for all qualified capital outlay projects, as defined by the Legislature.

(e) Appropriations of revenue which are derived from any of the following:

(1) That portion of the taxes imposed on motor vehicle fuels for use in motor vehicles upon public streets and highways at a rate of more than nine cents ($0.09) per gallon.

(2) Sales and use taxes collected on that increment of the tax specified in paragraph (1).

(3) That portion of the weight fee imposed on commercial vehicles which exceeds the weight fee imposed on those vehicles on January 1, 1990.

Seventh—That Section 10.5 is added to Article XIII B thereof, to read:

SEC. 10.5 For fiscal years beginning on or after July 1, 1990, the appropriations limit of each entity of government shall be the appropriations limit for the 1986–87 fiscal year adjusted for the changes made from that fiscal year pursuant to this article, as amended by the measure adding this section, adjusted for the changes required by Section 3

Eighth—That Section 8 of Article XVI thereof is amended to read:

~~SECTION 8. School Funding Priority~~

SEC. 8. (a) From all state revenues there shall first be set apart the ~~monies~~ *moneys* to be applied by the state for support of the public school system and public institutions of higher education.

(b) Commencing with the ~~1988–89~~ *1990–91* fiscal year, the ~~monies~~ *moneys* to be applied by the state for the support of school districts and community college districts shall be not less than the greater of *the following amounts*:

(1) The amount which, as a percentage of ~~the State~~ General Fund revenues which may be appropriated pursuant to Article ~~XIIIB~~, *XIII B*, equals the percentage of ~~such State~~ General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87 ~~; or~~.

(2) The amount required to ensure that the total allocations to school districts and community college districts from ~~the State~~ General Fund proceeds of taxes appropriated pursuant to Article ~~XIIIB~~ *XIII B* and allocated local proceeds of taxes shall not be less than the total amount from these sources in the prior *fiscal* year, *excluding any revenues allocated pursuant to subdivision (a) of Section 8.5,* adjusted for ~~increases~~ *changes* in enrollment, and adjusted for *the* ~~changes~~ *change* in the cost of living pursuant to ~~the provisions of Article XIIIB.~~ *paragraph (1) of subdivision (e) of Section 8 of Article XIII B. This paragraph shall be operative only in a fiscal year in which the percentage growth in California per capita personal income is less than or equal to the percentage growth in per capita General Fund revenues plus one half of one percent.*

(3) (A) The amount required to ensure that the total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes shall equal the total amount from these sources in the prior fiscal year, excluding any

revenues allocated pursuant to subdivision (a) of Section 8.5, adjusted for changes in enrollment and adjusted for the change in per capita General Fund revenues.

(B) In addition, an amount equal to one-half of one percent times the prior year total allocations to school districts and community colleges from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes, excluding any revenues allocated pursuant to subdivision (a) of Section 8.5, adjusted for changes in enrollment.

(C) This paragraph (3) shall be operative only in a fiscal year in which the percentage growth in California per capita personal income in a fiscal year is greater than the percentage growth in per capita General Fund revenues plus one half of one percent.

(c) In any fiscal year, if the amount computed pursuant to paragraph (1) of subdivision (b) exceeds the amount computed pursuant to paragraph (2) of subdivision (b) by a difference that exceeds one and one-half percent of General Fund revenues, the amount in excess of one and one-half percent of General Fund revenues shall not be considered allocations to school districts and community colleges for purposes of computing the amount of state aid pursuant to paragraph (2) or 3 of subdivision (b) in the subsequent fiscal year.

(d) In any fiscal year in which school districts and community college districts are allocated funding pursuant to paragraph (3) of subdivision (b) or pursuant to subdivision (h), they shall be entitled to a maintenance factor, equal to the difference between (1) the amount of General Fund moneys which would have been appropriated pursuant to paragraph (2) of subdivision (b) if that paragraph had been operative or the amount of General Fund moneys which would have been appropriated pursuant to subdivision (b) had subdivision (b) not been suspended, and (2) the amount of General Fund moneys actually appropriated to school districts and community college districts in that fiscal year

(e) The maintenance factor for school districts and community college districts determined pursuant to subdivision (d) shall be adjusted annually for changes in enrollment, and adjusted for the change in the cost of living pursuant to paragraph (1) of subdivision (e) of Section 8 of Article XIII B, until it has been allocated in full. The maintenance factor shall be allocated in a manner determined by the Legislature in each fiscal year in which the percentage growth in per capita General Fund revenues exceeds the percentage growth in California per capita personal income The maintenance factor shall be reduced each year by the amount allocated by the Legislature in that fiscal year. The minimum maintenance factor amount to be allocated in a fiscal year shall be equal to the product of General Fund revenues from proceeds of taxes and one-half of the difference between the percentage growth in per capita General Fund revenues from proceeds of taxes and in California per capita personal income, not to exceed the total dollar amount of the maintenance factor

(f) For purposes of this section, "changes in enrollment" shall be measured by the percentage change in average daily attendance. However, in any fiscal year, there shall be no adjustment for decreases in enrollment between the prior fiscal year and the current fiscal year unless there have been decreases in enrollment between the second prior fiscal year and the prior fiscal year and between the third prior fiscal year and the second prior fiscal year.

~~(e)~~ *(h) Subparagraph (B) of paragraph (3) of subdivision (b) may be suspended for one year only when made part of or included within any bill*

enacted pursuant to Section 12 of Article IV. All other ~~The~~ provisions of subdivision (b) ~~of this section~~ may be suspended for one year by the enactment of an urgency statute pursuant to Section 8 of Article IV, provided that ~~no~~ *the* urgency statute ~~enacted under this subdivision~~ may *not* be made part of or included within any bill enacted pursuant to Section 12 of Article IV.

Ninth—That Section 8.5 of Article XVI thereof is amended to read:

~~SECTION 8.5. Allocations to State School Fund~~

SEC. 8.5. (a) In addition to the amount required to be applied for the support of school districts and community college districts pursuant to Section ~~8(b)~~ *8*, the Controller shall during each fiscal year transfer and allocate all revenues available pursuant to *paragraph 1 of* subdivision (a) of Section 2 of Article ~~XIIIB,~~ *XIII B* ~~up to a maximum of four percent (4%) of the total amount required pursuant to Section 8(b) of this Article,~~ to that portion of the State School Fund restricted for elementary and high school purposes, and to that portion of the State School Fund restricted for community college purposes, respectively, in proportion to the enrollment in school districts and community college districts respectively.

(1) With respect to funds allocated to that portion of the State School Fund restricted for elementary and high school purposes, no transfer or allocation of funds pursuant to this section shall be required at any time that the Director of Finance and the Superintendent of Public Instruction mutually determine that current annual expenditures per student equal or exceed the average annual expenditure per student of the ~~ten~~ *10* states with the highest annual expenditures per student for elementary and high schools, and that average ~~class~~ *class* size equals or is less than the average ~~class~~ *class* size of the ~~ten~~ *10* states with the lowest class size for elementary and high schools.

(2) With respect to funds allocated to that portion of the State School Fund restricted for community college purposes, no transfer or allocation of funds pursuant to this section shall be required at any time that the Director of Finance and the Chancellor of *the California* Community Colleges mutually determine that current annual expenditures per student for community colleges in this state equal or exceed the average annual expenditure per student of the ~~ten~~ *10* states with the highest annual expenditures per student for community colleges.

(b) Notwithstanding the provisions of Article ~~XIIIB~~ *XIII B*, funds allocated pursuant to this section shall not constitute appropriations subject to limitation, ~~but appropriation limits established in Article XIIIB shall be annually increased for any such allocations made in the prior year~~.

(c) From any funds transferred to the State School Fund pursuant to ~~paragraph~~ *subdivision* (a) ~~of this Section~~, the Controller shall each year allocate to each school district and community college district an equal amount per enrollment in school districts from the amount in that portion of the State School Fund restricted for elementary and high school purposes and an equal amount per enrollment in community college districts from that portion of the State School Fund restricted for community college purposes.

(d) All revenues allocated pursuant to subdivision (a) ~~of this section, together with an amount equal to the total amount of revenues allocated pursuant to subdivision (a) of this section in all prior years, as adjusted if required by Section 8(b)(2) of Article XVI,~~ shall be expended solely for the purposes of instructional improvement and accountability as required by law.

(e) Any school district maintaining an elementary or secondary school shall develop and cause to be prepared an annual audit accounting for such funds and shall adopt a School Accountability Report Card for each school.

Tenth—That the amendment of the Constitution made by this measure shall take effect on July 1 next following the date on which this measure is approved by the electors.

Number on ballot

112. **State Officials, Ethics, Salaries. Open Meetings.** (Statutes 1989, Resolution Chapter 167, SCA 32)

[Approved by electors June 5, 1990]

PROPOSED AMENDMENTS TO ARTICLES III, IV AND V

First—That Section 22 is added to Article IV thereof, to read:

SEC. 22. It is the right of the people to hold their legislators accountable. To assist the people in exercising this right, at the convening of each regular session of the Legislature, the President pro Tempore of the Senate, the Speaker of the Assembly, and the minority leader of each house shall report to their house the goals and objectives of that house during that session and, at the close of each regular session, the progress made toward meeting those goals and objectives.

Second—That Section 5 of Article IV thereof is amended to read:

SEC. 5. *(a)* Each house shall judge the qualifications and elections of its ~~members~~ *Members* and, by rollcall vote entered in the journal, two thirds of the membership concurring, may expel a ~~member.~~ *Member.*

(b) No Member of the Legislature may accept any honorarium. The Legislature shall enact laws that implement this subdivision.

(c) The Legislature shall enact laws that ban or strictly limit the acceptance of a gift by a Member of the Legislature from any source if the acceptance of the gift might create a conflict of interest

(d) No Member of the Legislature may knowingly accept any compensation for appearing, agreeing to appear, or taking any other action on behalf of another person before any state government board or agency. If a Member knowingly accepts any compensation for appearing, agreeing to appear, or taking any other action on behalf of another person before any local government board or agency, the Member may not, for a period of one year following the acceptance of the compensation, vote upon or make, participate in making, or in any way attempt to use his or her official position to influence an action or decision before the Legislature, other than an action or decision involving a bill described in subdivision (c) of Section 12 of this article, which he or she knows, or has reason to know, would have a direct and significant financial impact on that person and would not impact the public generally or a significant segment of the public in a similar manner As used in this subdivision, "public generally" includes an industry, trade, or profession. However, a Member may engage in activities involving a board or agency which are strictly on his or her own behalf, appear in the capacity of an attorney before any court or the Workers' Compensation Appeals Board, or act as an advocate without compensation or make an inquiry for information on behalf of a person before a board or agency. This subdivision does not prohibit any action of a partnership or firm of which the Member is a member if the Member does not share directly or indirectly in the fee, less any expenses attributable to that fee, resulting from that action.

(e) The Legislature shall enact laws that prohibit a Member of the Legislature whose term of office commences on or after December 3, 1990, from lobbying, for compensation, as governed by the Political Reform Act of 1974, before the Legislature for 12 months after leaving office.

(f) The Legislature shall enact *new* laws, *and strengthen the enforcement of existing laws,* ~~to prohibit~~ *prohibiting* ~~members~~ *Members* of the Legislature from engaging in activities or having interests which conflict with the proper discharge of their duties and responsibilities ~~; provided that~~ . *However,* the people reserve to themselves the power to implement this requirement pursuant to ~~Section 22 of this article~~ *Article II* .

Third—That subdivision (c) of Section 7 of Article IV thereof is amended to read:

(c) *(1)* The proceedings of each house and the committees thereof shall be *open and* public . *However, closed sessions may be held solely for any of the following purposes:*

(A) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider or hear complaints or charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of an employee of the Legislature.

(B) To consider matters affecting the safety and security of Members of the Legislature or its employees or the safety and security of any buildings and grounds used by the Legislature

(C) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated, or whether to initiate, litigation when discussion in open session would not protect the interests of the house or committee regarding the litigation.

(2) A caucus of the Members of the Senate, the Members of the Assembly, or the Members of both houses, which is composed of the members of the same political party, may meet in closed session.

(3) The Legislature shall implement this subdivision by concurrent resolution adopted by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, or by statute, and shall prescribe that, when a closed session is held pursuant to paragraph (1), reasonable notice of the closed session and the purpose of the closed session shall be provided to the public. ~~except as provided by statute or by concurrent resolution, when such resolution is adopted by a two-thirds vote of the members of each house, provided, that if~~ *If* there is a conflict between ~~such~~ a ~~statute and~~ concurrent resolution *and statute* , the last adopted *or enacted* shall prevail.

Fourth—That Section 4 of Article IV thereof is amended to read:

SEC. 4. ~~Compensation of members of the Legislature, and reimbursement for travel and living expenses in connection with their official duties, shall be prescribed by statute passed by rollcall vote entered in the journal, two-thirds of the membership of each house concurring. Commencing with 1967, in any statute enacted making an adjustment of the annual compensation of a member of the Legislature the adjustment may not exceed an amount equal to 5 percent for each calendar year following the operative date of the last adjustment, of the salary in effect when the statute is enacted. Any adjustment in the compensation may not apply until the commencement of the regular session commencing after the next general election following enactment of the statute.~~

(a) To eliminate any appearance of a conflict with the proper discharge of his or her duties and responsibilities, no Member of the Legislature may knowingly receive any salary, wages, commissions, or other similar earned income from a lobbyist or lobbying firm, as defined by the Political Reform Act of 1974, or from a person who, during the previous 12 months, has been under a contract with the Legislature. The Legislature shall enact laws that define earned income. However, earned income does not include any community property interest in the income of a spouse. Any Member who knowingly receives any salary, wages, commissions, or other similar earned income from a lobbyist employer, as defined by the Political Reform Act of 1974, may not, for a period of one year following its receipt, vote upon or make, participate in making, or in any way attempt to use his or her official position to influence an action or decision before the Legislature, other than an action or decision involving a bill described in subdivision (c) of Section 12 of this article, which he or she knows, or has reason to know, would have a direct and significant financial impact on the lobbyist employer and would not impact the public generally or a significant segment of the public in a similar manner. As used in this subdivision, "public generally" includes an industry, trade, or profession.

(b) Travel and living expenses for Members of the Legislature in connection with their official duties shall be prescribed by statute passed by rollcall vote entered in the journal, two-thirds of the membership of each house concurring. A Member may not receive travel and living expenses during the times that the Legislature is in recess for more than three calendar days, unless the Member is traveling to or from, or is in attendance at, any meeting of a committee of which he or she is a member, or a meeting, conference, or other legislative function or responsibility as authorized by the rules of the house of which he or she is a member, which is held at a location at least 20 miles from his or her place of residence.

(c) The Legislature may not provide retirement benefits based on any portion of a monthly salary in excess of ~~500~~ *five hundred* dollars *($500)* paid to any ~~member~~ *Member* of the Legislature unless the ~~member~~ *Member* receives the greater amount while serving as a ~~member~~ *Member* in the Legislature. The Legislature may, prior to their retirement, limit the retirement benefits payable to ~~members~~ *Members* of the Legislature who serve during or after the term commencing in 1967.

When computing the retirement allowance of a ~~member~~ *Member* who serves in the Legislature during the term commencing in 1967 or later, allowance may be made for increases in cost of living if so provided by statute, but only with respect to increases in the cost of living occurring after retirement of the ~~member,~~ *Member.* ~~except that~~ *However,* the Legislature may provide that no ~~member~~ *Member* shall be deprived of a cost of living adjustment based on a monthly salary of ~~500~~ *five hundred* dollars *($500)* which has accrued prior to the commencement of the 1967 Regular Session of the Legislature.

Fifth—That Section 14 is added to Article V thereof, to read:

SEC 14. (a) To eliminate any appearance of a conflict with the proper discharge of his or her duties and responsibilities, no state officer may knowingly receive any salary, wages, commissions, or other similar earned income from a lobbyist or lobbying firm, as defined by the Political Reform Act of 1974, or from a person who, during the previous 12 months, has been under a contract with the state agency under the jurisdiction of the state officer The Legislature shall enact laws that define earned income. However, earned income does not include any

community property interest in the income of a spouse. Any state officer who knowingly receives any salary, wages, commissions, or other similar earned income from a lobbyist employer, as defined by the Political Reform Act of 1974, may not, for a period of one year following its receipt, vote upon or make, participate in making, or in any way attempt to use his or her official position to influence an action or decision before the agency for which the state officer serves, other than an action or decision involving a bill described in subdivision (c) of Section 12 of Article IV, which he or she knows, or has reason to know, would have a direct and significant financial impact on the lobbyist employer and would not impact the public generally or a significant segment of the public in a similar manner. As used in this subdivision, "public generally" includes an industry, trade, or profession.

(b) No state officer may accept any honorarium. The Legislature shall enact laws that implement this subdivision.

(c) The Legislature shall enact laws that ban or strictly limit the acceptance of a gift by a state officer from any source if the acceptance of the gift might create a conflict of interest.

(d) No state officer may knowingly accept any compensation for appearing, agreeing to appear, or taking any other action on behalf of another person before any state government board or agency. If a state officer knowingly accepts any compensation for appearing, agreeing to appear, or taking any other action on behalf of another person before any local government board or agency, the state officer may not, for a period of one year following the acceptance of the compensation, make, participate in making, or in any way attempt to use his or her official position to influence an action or decision before the state agency for which the state officer serves, other than an action or decision involving a bill described in subdivision (c) of Section 12 of Article IV, which he or she knows, or has reason to know, would have a direct and significant financial impact on that person and would not impact the public generally or a significant segment of the public in a similar manner As used in this subdivision, "public generally" includes an industry, trade, or profession. However, a state officer may engage in activities involving a board or agency which are strictly on his or her own behalf, appear in the capacity of an attorney before any court or the Workers' Compensation Appeals Board, or act as an advocate without compensation or make an inquiry for information on behalf of a person before a board or agency This subdivision does not prohibit any action of a partnership or firm of which the state officer is a member if the state officer does not share directly or indirectly in the fee, less any expenses attributable to that fee, resulting from that action.

(e) The Legislature shall enact laws that prohibit a state officer, or a secretary of an agency or director of a department appointed by the Governor, who has not resigned or retired from state service prior to January 7, 1991, from lobbying, for compensation, as governed by the Political Reform Act of 1974, before the executive branch of state government for 12 months after leaving office.

(f) "State officer," as used in this section, means the Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer, and member of the State Board of Equalization

Sixth—That Section 8 is added to Article III thereof, as follows:

SEC. 8. (a) The California Citizens Compensation Commission is hereby created and shall consist of seven members appointed by the Governor. The

commission shall establish the annual salary and the medical, dental, insurance, and other similar benefits of state officers.

(b) The commission shall consist of the following persons:

(1) Three public members, one of whom has expertise in the area of compensation, such as an economist, market researcher, or personnel manager; one of whom is a member of a nonprofit public interest organization; and one of whom is representative of the general population and may include, among others, a retiree, homemaker, or person of median income. No person appointed pursuant to this paragraph may, during the 12 months prior to his or her appointment, have held public office, either elective or appointive, have been a candidate for elective public office, or have been a lobbyist, as defined by the Political Reform Act of 1974.

(2) Two members who have experience in the business community, one of whom is an executive of a corporation incorporated in this state which ranks among the largest private sector employers in the state based on the number of employees employed by the corporation in this state and one of whom is an owner of a small business in this state.

(3) Two members, each of whom is an officer or member of a labor organization.

(c) The Governor shall strive insofar as practicable to provide a balanced representation of the geographic, gender, racial, and ethnic diversity of the state in appointing commission members.

(d) The Governor shall appoint commission members and designate a chairperson for the commission not later than 30 days after the effective date of this section. The terms of two of the initial appointees shall expire on December 31, 1992, two on December 31, 1994, and three on December 31, 1996, as determined by the Governor. Thereafter, the term of each member shall be six years. Within 15 days of any vacancy, the Governor shall appoint a person to serve the unexpired portion of the term.

(e) No current or former officer or employee of this state is eligible for appointment to the commission

(f) Public notice shall be given of all meetings of the commission, and the meetings shall be open to the public.

(g) On or before December 3, 1990, the commission shall, by a single resolution adopted by a majority of the membership of the commission, establish the annual salary and the medical, dental, insurance, and other similar benefits of state officers. The annual salary and benefits specified in that resolution shall be effective on and after December 3, 1990.

Thereafter, at or before the end of each fiscal year, the commission shall, by a single resolution adopted by a majority of the membership of the commission, adjust the annual salary and the medical, dental, insurance, and other similar benefits of state officers. The annual salary and benefits specified in the resolution shall be effective on and after the first Monday of the next December.

(h) In establishing or adjusting the annual salary and the medical, dental, insurance, and other similar benefits, the commission shall consider all of the following:

(1) The amount of time directly or indirectly related to the performance of the duties, functions, and services of a state officer.

(2) The amount of the annual salary and the medical, dental, insurance, and other similar benefits for other elected and appointed officers and officials in this state with comparable responsibilities, the judiciary, and, to the extent

practicable, the private sector, recognizing, however, that state officers do not receive, and do not expect to receive, compensation at the same levels as individuals in the private sector with comparable experience and responsibilities.

(3) The responsibility and scope of authority of the entity in which the state officer serves.

(i) Until a resolution establishing or adjusting the annual salary and the medical, dental, insurance, and other similar benefits for state officers takes effect, each state officer shall continue to receive the same annual salary and the medical, dental, insurance, and other similar benefits received previously.

(j) All commission members shall receive their actual and necessary expenses, including travel expenses, incurred in the performance of their duties. Each member shall be compensated at the same rate as members, other than the chairperson, of the Fair Political Practices Commission, or its successor, for each day engaged in official duties, not to exceed 45 days per year.

(k) It is the intent of the Legislature that the creation of the commission should not generate new state costs for staff and services. The Department of Personnel Administration, the Board of Administration of the Public Employees' Retirement System, or other appropriate agencies, or their successors, shall furnish, from existing resources, staff and services to the commission as needed for the performance of its duties.

(l) "State officer," as used in this section, means the Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer, member of the State Board of Equalization, and Member of the Legislature.

Seventh—That Section 12 of Article V thereof is repealed.

~~SEC. 12. Compensation of the Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Superintendent of Public Instruction, and Treasurer shall be prescribed by statute but may not be increased or decreased during a term.~~

Eighth—That subdivision (b) of Section 5 of, and subdivision (c) of Section 7 of, Article IV, and subdivision (b) of Section 14 of Article V, of the California Constitution, as added or amended by this measure, shall become operative on the first day of the 1991–92 Regular Session of the Legislature.

INITIATIVE AMENDMENTS SUBMITTED BY LEGISLATURE

Number on ballot

113. **Practice of Chiropractic.** (Statutes 1988, Chapter 1094, SB 2751)

[Approved by electors June 5, 1990.]

PROPOSED AMENDMENTS TO INITIATIVE ACT

An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith" approved by the electors November 7, 1922, by amending Sections 12 and 15 thereof, relating to the practice of chiropractic, the amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to subdivision (c) of Section 10 of Article II of the California Constitution.

SECTION 1. Section 12 of the act cited in the title is amended to read:

Sec. 12. *Licenses issued under the provisions of this section expire at 12 midnight on the last day of the month of birth of licentiates of the board.*

On or before July 1, 1991, the board shall establish regulations for the administration of a birth month renewal program. Each person practicing chiropractic within this state shall, on or before the ~~first~~ *last* day of ~~January~~ *their month of birth* of each year, after a license is issued to ~~him~~ *them* as herein provided, pay to ~~said~~ *the* Board of Chiropractic Examiners a renewal fee of not more than one hundred fifty dollars ($150) as determined by the board. The secretary shall ~~, on or before November 1st of each year,~~ mail to all licensed chiropractors in this state, *on or before 60 days prior to the last day of the month of their birth each year,* a notice that the renewal fee will be due on or before the ~~first~~ *last* day of ~~January~~ *the month of their birth* next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay ~~said~~ *the* annual fee during the time ~~his or her~~ *their* license remains in force shall, after a period of 60 days from the ~~first~~ *last* day of ~~January each year, ipso facto,~~ *the month of their birth automatically* work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the ~~said~~ board of a fee of twice the annual amount of the renewal fee in effect at the time the restoration application is filed except that ~~such~~ *a* licentiate who fails, refuses or neglects to pay ~~such~~ *the* annual tax within a period of 60 days after the ~~first~~ *last* day of ~~January~~ *the month of his or her birth* of each year shall not be required to submit to an examination for the reissuance of ~~such~~ *the* certificate.

SEC. 2. Section 15 of the act cited in the title is amended to read:

Sec. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C." or any word or title to induce, or tending to induce belief that he *or she* is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D.C." immediately following his *or her* name, or the use of the letters "M.D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he *or she* held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ~~fifty dollars~~ *one hundred dollars ($100)* and not more than ~~two hundred dollars~~ *seven hundred fifty dollars ($750)* , or by imprisonment in the county jail for not ~~less than thirty days nor~~ more than ~~ninety days~~ *six months* , or *by* both *fine and imprisonment* .

Number on ballot

114. **Murder of a Peace Officer. Criminal Penalties. Special Circumstance. Peace Officer Definition.** (Statutes 1989, Chapter 1165, SB 353)

[Approved by electors June 5, 1990.]

PROPOSED LAW

SEC. 16. Section 190.2 of the Penal Code is amended to read:

190.2. (a) The penalty for a defendant found guilty of murder in the first degree shall be death or confinement in state prison for a term of life without the possibility of parole in any case in which one or more of the following special circumstances has been charged and specially found under Section 190.4, to be true:

(1) The murder was intentional and carried out for financial gain.

(2) The defendant was previously convicted of murder in the first degree or second degree. For the purpose of this paragraph an offense committed in another jurisdiction which if committed in California would be punishable as first or second degree murder shall be deemed murder in the first or second degree.

(3) The defendant has in this proceeding been convicted of more than one offense of murder in the first or second degree.

(4) The murder was committed by means of a destructive device, bomb, or explosive planted, hidden or concealed in any place, area, dwelling, building or structure, and the defendant knew or reasonably should have known that his *or her* act or acts would create a great risk of death to a human being or human beings.

(5) The murder was committed for the purpose of avoiding or preventing a lawful arrest or to perfect, or attempt to perfect an escape from lawful custody.

(6) The murder was committed by means of a destructive device, bomb, or explosive that the defendant mailed or delivered, attempted to mail or deliver, or cause to be mailed or delivered and the defendant knew or reasonably should have known that his *or her* act or acts would create a great risk of death to a human being or human beings.

(7) The victim was a peace officer as defined in Section 830.1, 830.2, 830.3, 830.31, *830.32, 830.33, 830.34,* 830.35, 830.36, *830.37,* 830.4, 830.5, ~~830.5a,~~ 830.6, 830.10, 830.11 or 830.12, who, while engaged in the course of the performance of his *or her* duties was intentionally killed, and ~~such~~ *the* defendant knew or reasonably should have known that ~~such~~ *the* victim was a peace officer engaged in the performance of his *or her* duties; or the victim was a peace officer as defined in the above enumerated sections of the Penal Code, or a former peace officer under any of such sections, and was intentionally killed in retaliation for the performance of his *or her* official duties.

(8) The victim was a federal law enforcement officer or agent, who, while engaged in the course of the performance of his *or her* duties was intentionally killed, and ~~such~~ *the* defendant knew or reasonably should have known that ~~such~~ *the* victim was a federal law enforcement officer or agent, engaged in the performance of his *or her* duties; or the victim was a federal law enforcement officer or agent, and was intentionally killed in retaliation for the performance of his *or her* official duties.

(9) The victim was a ~~fireman~~ *firefighter* as defined in Section 245.1, who while engaged in the course of the performance of his *or her* duties was intentionally

killed, and ~~such~~ *the* defendant knew or reasonably should have known that ~~such~~ *the* victim was a ~~fireman~~ *firefighter* engaged in the performance of his *or her* duties.

(10) The victim was a witness to a crime who was intentionally killed for the purpose of preventing his *or her* testimony in any criminal proceeding, and the killing was not committed during the commission, or attempted commission ~~or~~ *of* the crime to which he *or she* was a witness; or the victim was a witness to a crime and was intentionally killed in retaliation for his *or her* testimony in any criminal proceeding.

(11) The victim was a prosecutor or assistant prosecutor or a former prosecutor or assistant prosecutor of any local or state prosecutor's office in this state or any other state, or a federal prosecutor's office and the murder was carried out in retaliation for or to prevent the performance of the victim's official duties.

(12) The victim was a judge or former judge of any court of record in the local, state or federal system in the State of California or in any other state of the United States and the murder was carried out in retaliation for or to prevent the performance of the victim's official duties.

(13) The victim was an elected or appointed official or former official of the Federal Government, a local or State government of California, or of any local or state government of any other state in the United States and the killing was intentionally carried out in retaliation for or to prevent the performance of the victim's official duties.

(14) The murder was especially heinous, atrocious, or cruel, manifesting exceptional depravity ~~, as~~. *As* utilized in this section, the phrase especially heinous, atrocious or cruel manifesting exceptional depravity means a conscienceless, or pitiless crime which is unnecessarily torturous to the victim.

(15) The defendant intentionally killed the victim while lying in wait.

(16) The victim was intentionally killed because of his *or her* race, color, religion, nationality or country of origin.

(17) The murder was committed while the defendant was engaged in or was an accomplice in the commission of, attempted commission of, or the immediate flight after committing or attempting to commit the following felonies:

(i) Robbery in violation of Section 211.

(ii) Kidnapping in violation of Sections 207 and 209.

(iii) Rape in violation of Section 261.

(iv) Sodomy in violation of Section 286.

(v) The performance of a lewd or lascivious act upon person of a child under the age of 14 in violation of Section 288.

(vi) Oral copulation in violation of Section 288a.

(vii) Burglary in the first or second degree in violation of Section 460.

(viii) Arson in violation of Section 447.

(ix) Train wrecking in violation of Section 219.

(18) The murder was intentional and involved the infliction of torture. For the purpose of this section torture requires proof of the infliction of extreme physical pain no matter how long its duration.

(19) The defendant intentionally killed the victim by the administration of poison.

(b) Every person whether or not the actual killer found guilty of intentionally aiding, abetting, counseling, commanding, inducing, soliciting, requesting, or assisting any actor in the commission of murder in the first degree shall suffer death or confinement in state prison for a term of life without the possibility of

parole, in any case in which one or more of the special circumstances enumerated in ~~paragraphs~~ *paragraph* (1), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), or (19) of subdivision (a) of this section has been charged and specially found under Section 190.4 to be true.

The penalty shall be determined as provided in Sections 190.1, 190.2, 190.3, 190.4, and 190.5.

INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE

Number on ballot

115. **Criminal Law.**

[Submited by the initiative and approved by electors June 5, 1990]

PROPOSED LAW

SECTION 1. (a) We the people of the State of California hereby find that the rights of crime victims are too often ignored by our courts and by our State Legislature, that the death penalty is a deterrent to murder, and that comprehensive reforms are needed in order to restore balance and fairness to our criminal justice system.

(b) In order to address these concerns and to accomplish these goals, we the people further find that it is necessary to reform the law as developed in numerous California Supreme Court decisions and as set forth in the statutes of this state. These decisions and statutes have unnecessarily expanded the rights of accused criminals far beyond that which is required by the United States Constitution, thereby unnecessarily adding to the costs of criminal cases, and diverting the judicial process from its function as a quest for truth.

(c) The goals of the people in enacting this measure are to restore balance to our criminal justice system, to create a system in which justice is swift and fair, and to create a system in which violent criminals receive just punishment, in which crime victims and witnesses are treated with care and respect, and in which society as a whole can be free from the fear of crime in our homes, neighborhoods, and schools.

(d) With these goals in mind, we the people do hereby enact the Crime Victims Justice Reform Act.

SEC. 2. Section 14.1 is added to Article I of the California Constitution, to read:

SEC. 14.1. If a felony is prosecuted by indictment, there shall be no post-indictment preliminary hearing.

SEC. 3. Section 24 of Article I of the California Constitution is amended to read:

SEC. 24. Rights guaranteed by this Constitution are not dependent on those guaranteed by the United States Constitution.

In criminal cases the rights of a defendant to equal protection of the laws, to due process of law, to the assistance of counsel, to be personally present with counsel, to a speedy and public trial, to compel the attendance of witnesses, to confront the witnesses against him or her, to be free from unreasonable searches and seizures, to privacy, to not be compelled to be a witness against himself or herself, to not be placed twice in jeopardy for the same offense, and to not suffer the imposition of cruel or unusual punishment, shall be construed by the courts of this state in a manner consistent with the Constitution of the United States.

This Constitution shall not be construed by the courts to afford greater rights to criminal defendants than those afforded by the Constitution of the United States, nor shall it be construed to afford greater rights to minors in juvenile proceedings on criminal causes than those afforded by the Constitution of the United States.

This declaration of rights may not be construed to impair or deny others retained by the people.

SEC. 4 Section 29 is added to Article I of the California Constitution, to read:

SEC. 29. In a criminal case, the people of the State of California have the right to due process of law and to a speedy and public trial.

SEC. 5. Section 30 is added to Article I of the California Constitution, to read:

SEC. 30. (a) This Constitution shall not be construed by the courts to prohibit the joining of criminal cases as prescribed by the Legislature or by the people through the initiative process.

(b) In order to protect victims and witnesses in criminal cases, hearsay evidence shall be admissible at preliminary hearings, as prescribed by the Legislature or by the people through the initiative process.

(c) In order to provide for fair and speedy trials, discovery in criminal cases shall be reciprocal in nature, as prescribed by the Legislature or by the people through the initiative process.

SECTION 6. Section 223 of the Code of Civil Procedure is repealed.

~~223. In criminal cases:~~

~~(a) It shall be the duty of the trial court to examine the prospective jurors to select a fair and impartial jury. Except as provided in Section 223.5, the trial court shall permit reasonable examination of prospective jurors by counsel for the people and for the defendant, such examination to be conducted orally and directly by counsel.~~

~~(b) In each case it shall be the duty of the trial judge to provide for a voir dire process as speedy, focused, and informative as possible, and to protect prospective jurors from undue harassment and embarrassment and from inordinately extensive, repetitive, or unfocused examinations.~~

~~(c) In discharging its duties, the court shall have discretion and control with respect to the form and subject matter and duration of voir dire examination. In exercising that discretion and control, the trial judge shall be guided by, among other criteria, the following:~~

~~(1) The nature of the charges and the potential consequences of a conviction.~~

~~(2) Any unique or complex elements, legal or factual, in the case.~~

~~(3) The individual responses or conduct of jurors which may reveal attitudes inconsistent with suitability to serve as a fair and impartial juror in the particular case.~~

~~(4) The attorneys' need, under the circumstances, for information on which to exercise peremptory challenges intelligently.~~

~~(d) The trial court shall not permit questions which the trial court concludes would, as their sole purpose, do any of the following:~~

~~(1) Educate the jury panel to the particular facts of the case.~~

~~(2) Compel the jurors to commit themselves to vote in a particular way.~~

~~(3) Prejudice the jury for or against any party.~~

~~(4) Argue the case.~~

~~(5) Indoctrinate the jury.~~

~~(6) Instruct the jury in a matter of law.~~

~~(7) Attempt to accomplish any other improper purpose.~~

~~(c) The trial court shall require that questions be phrased by counsel in a neutral and nonargumentative form.~~

SEC. 7. Section 223 is added to the Code of Civil Procedure, to read:

223. In a criminal case, the court shall conduct the examination of prospective jurors. However, the court may permit the parties, upon a showing of good cause, to supplement the examination by such further inquiry as it deems proper, or shall itself submit to the prospective jurors upon such a showing, such additional questions by the parties as it deems proper. Voir dire of any prospective jurors shall, where practicable, occur in the presence of the other jurors in all criminal cases, including death penalty cases.

Examination of prospective jurors shall be conducted only in aid of the exercise of challenges for cause.

The trial court's exercise of its discretion in the manner in which voir dire is conducted shall not cause any conviction to be reversed unless the exercise of that discretion has resulted in a miscarriage of justice, as specified in Section 13 of Article VI of the California Constitution.

SEC. 7.5. Section 223.5 of the Code of Civil Procedure is repealed.

~~223.5. (a) As a pilot project applicable solely to criminal cases in the superior courts in Fresno and Santa Cruz Counties during the period July 1, 1988, to June 30, 1991, inclusive, all questions designed solely for assisting in the intelligent exercise of the right to peremptory challenge and not applicable to the determination of implied or actual bias, shall be propounded by the court. If such a question is requested by the prosecution or by counsel for the defense and is one of the standardized questions developed by the Task Force on Voir Dire, the court shall propound the question unless the court determines that the question is clearly inappropriate. If a nonstandardized question is proposed by the prosecution or by counsel for the defense, the court may propound the question in its discretion.~~

~~(b) The Task Force on Voir Dire shall consist of eight members who shall serve without compensation, two of whom shall be appointed by the Judicial Council, two by the Governor, two by the Speaker of the Assembly, and two by the Senate Rules Committee. All appointees shall have been members of the State Bar for at least five years prior to their appointment. The Judicial Council may provide staff to assist the task force.~~

~~All appointments to the Task Force on Voir Dire shall be made on or before March 1, 1988. The task force shall submit to the pilot project counties a list of standardized questions which meet the purposes of subdivision (a) on or before July 1, 1988.~~

~~(c) Notwithstanding the provisions of Section 206, the Judicial Council and any other bona fide research or research organization shall be permitted access to any data regarding the conduct or evaluation of the pilot project. On or before January 1, 1992, the Judicial Council shall report to the Legislature on the effects of the pilot project on the efficiency in jury selection and on any effect on the conviction rate for particular crimes compared to a similar prior period in each pilot project county.~~

SEC. 8. Section 1203.1 is added to the Evidence Code, to read:

1203.1. Section 1203 is not applicable if the hearsay statement is offered at a preliminary examination, as provided in Section 872 of the Penal Code

SEC. 9. Section 189 of the Penal Code is amended to read:

189. All murder which is perpetrated by means of a destructive device or explosive, knowing use of ammunition designed primarily to penetrate metal or

armor, poison, lying in wait, torture, or by any other kind of willful, deliberate, and premeditated killing, or which is committed in the perpetration of, or attempt to perpetrate, arson, rape, robbery, burglary, mayhem, *kidnapping, train wrecking,* or any act punishable under ~~Section 288,~~ *Section 286, 288, 288a, or 289,* is murder of the first degree; and all other kinds of murders are of the second degree.

As used in this section, "destructive device" shall mean any destructive device as defined in Section 12301, and "explosive" shall mean any explosive as defined in Section 12000 of the Health and Safety Code.

To prove the killing was "deliberate and premeditated," it shall not be necessary to prove the defendant maturely and meaningfully reflected upon the gravity of his or her act.

SEC. 10. Section 190.2 of the Penal Code is amended to read:

190.2. (a) The penalty for a defendant found guilty of murder in the first degree shall be death or confinement in state prison for a term of life without the possibility of parole in any case in which one or more of the following special circumstances has been ~~charged and specially~~ found under Section 190.4, to be true:

(1) The murder was intentional and carried out for financial gain.

(2) The defendant was previously convicted of murder in the first degree or second degree. For the purpose of this paragraph an offense committed in another jurisdiction which if committed in California would be punishable as first or second degree murder shall be deemed murder in the first or second degree.

(3) The defendant has in this proceeding been convicted of more than one offense of murder in the first or second degree.

(4) The murder was committed by means of a destructive device, bomb, or explosive planted, hidden or concealed in any place, area, dwelling, building or structure, and the defendant knew or reasonably should have known that his *or her* act or acts would create a great risk of death to a human being or human beings.

(5) The murder was committed for the purpose of avoiding or preventing a lawful arrest or to perfect, or attempt to perfect an escape from lawful custody.

(6) The murder was committed by means of a destructive device, bomb, or explosive that the defendant mailed or delivered, attempted to mail or deliver, or cause to be mailed or delivered and the defendant knew or reasonably should have known that his *or her* act or acts would create a great risk of death to a human being or human beings.

(7) The victim was a peace officer as defined in Section 830.1, 830.2, 830.3, 830.31, 830.35, 830.36, 830.4, 830.5, 830.5a, 830.6, 830.10, 830.11 or 830.12, who, while engaged in the course of the performance of his *or her* duties was intentionally killed, and such defendant knew or reasonably should have known that such victim was a peace officer engaged in the performance of his *or her* duties; or the victim was a peace officer as defined in the above enumerated sections of the Penal Code, or a former peace officer under any of such sections, and was intentionally killed in retaliation for the performance of his *or her* official duties.

(8) The victim was a federal law enforcement officer or agent, who, while engaged in the course of the performance of his *or her* duties was intentionally killed, and such defendant knew or reasonably should have known that such victim was a federal law enforcement officer or agent, engaged in the perfor-

mance of his *or her* duties; or the victim was a federal law enforcement officer or agent, and was intentionally killed in retaliation for the performance of his *or her* official duties.

(9) The victim was a fireman as defined in Section 245.1, who while engaged in the course of the performance of his *or her* duties was intentionally killed, and such defendant knew or reasonably should have known that such victim was a fireman engaged in the performance of his *or her* duties.

(10) The victim was a witness to a crime who was intentionally killed for the purpose of preventing his *or her* testimony in any criminal *or juvenile* proceeding, and the killing was not committed during the commission, or attempted commission ~~or~~ *of* the crime to which he *or she* was a witness; or the victim was a witness to a crime and was intentionally killed in retaliation for his *or her* testimony in any criminal *or juvenile* proceeding. *As used in this paragraph, "juvenile proceeding" means a proceeding brought pursuant to Section 602 or 707 of the Welfare and Institutions Code.*

(11) The victim was a prosecutor or assistant prosecutor or a former prosecutor or assistant prosecutor of any local or state prosecutor's office in this state or any other state, or a federal prosecutor's office and the murder was *intentionally* carried out in retaliation for or to prevent the performance of the victim's official duties.

(12) The victim was a judge or former judge of any court of record in the local, state or federal system in the State of California or in any other state of the United States and the murder was *intentionally* carried out in retaliation for or to prevent the performance of the victim's official duties

(13) The victim was an elected or appointed official or former official of the ~~Federal Government~~ *federal government*, a local or ~~State~~ *state* government of California, or of any local or state government of any other state in the United States and the killing was intentionally carried out in retaliation for or to prevent the performance of the victim's official duties.

(14) The murder was especially heinous, atrocious, or cruel, manifesting exceptional depravity ~~, as~~. *As* utilized in this section, the phrase especially heinous, atrocious or cruel manifesting exceptional depravity means a conscienceless, or pitiless crime which is unnecessarily torturous to the victim.

(15) The defendant intentionally killed the victim while lying in wait.

(16) The victim was intentionally killed because of his *or her* race, color, religion, nationality or country of origin.

(17) The murder was committed while the defendant was engaged in or was an accomplice in the commission of, attempted commission of, or the immediate flight after committing or attempting to commit the following felonies:

(i) Robbery in violation of Section 211 *or 212.5*.

(ii) Kidnapping in violation of ~~Sections~~ *Section* 207 ~~and~~ *or* 209.

(iii) Rape in violation of Section 261.

(iv) Sodomy in violation of Section 286.

(v) The performance of a lewd or lascivious act upon person of a child under the age of 14 in violation of Section 288.

(vi) Oral copulation in violation of Section 288a.

(vii) Burglary in the first or second degree in violation of Section 460

(viii) Arson in violation of *subdivision (b) of* Section ~~447~~ *451*.

(ix) Train wrecking in violation of Section 219.

(x) Mayhem in violation of Section 203.

(xi) Rape by instrument in violation of Section 289.

(18) The murder was intentional and involved the infliction of torture. ~~For the purpose of this section torture requires proof of the infliction of extreme physical pain no matter how long its duration.~~

(19) The defendant intentionally killed the victim by the administration of poison.

(b) ~~Every person whether or not the actual killer found guilty of intentionally aiding, abetting, counseling, commanding, inducing, soliciting, requesting, or assisting any actor in the commission of murder in the first degree shall suffer death or confinement in state prison for a term of life without the possibility of parole, in any case in which one or more of the special circumstances enumerated in paragraphs (1), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), or (19) of subdivision (a) of this section has been charged and specially found under Section 190.4 to be true.~~ *Unless an intent to kill is specifically required under subdivision (a) for a special circumstance enumerated therein, an actual killer as to whom such special circumstance has been found to be true under Section 190.4 need not have had any intent to kill at the time of the commission of the offense which is the basis of the special circumstance in order to suffer death or confinement in state prison for a term of life without the possibility of parole.*

(c) Every person not the actual killer who, with the intent to kill, aids, abets, counsels, commands, induces, solicits, requests, or assists any actor in the commission of murder in the first degree shall suffer death or confinement in state prison for a term of life without the possibility of parole, in any case in which one or more of the special circumstances enumerated in subdivision (a) of this section has been found to be true under Section 190.4

(d) Notwithstanding subdivision (c), every person not the actual killer, who, with reckless indifference to human life and as a major participant, aids, abets, counsels, commands, induces, solicits, requests, or assists in the commission of a felony enumerated in paragraph (17) of subdivision (a), which felony results in the death of some person or persons, who is found guilty of murder in the first degree therefor, shall suffer death or confinement in state prison for life without the possibility of parole, in any case in which a special circumstance enumerated in paragraph (17) of subdivision (a) of this section has been found to be true under Section 190.4.

(e) The penalty shall be determined as provided in Sections 190.1, 190.2, 190.3, 190.4, and 190.5.

SEC. 11. Section 190.41 is added to the Penal Code, to read:

190.41. Notwithstanding Section 190.4 or any other provision of law, the corpus delicti of a felony-based special circumstance enumerated in paragraph (17) of subdivision (a) of Section 190.2 need not be proved independently of a defendant's extrajudicial statement

SEC. 12. Section 190.5 of the Penal Code is amended to read:

190.5. *(a)* Notwithstanding any other provision of law, the death penalty shall not be imposed upon any person who is under the age of 18 at the time of the commission of the crime. The burden of proof as to the age of such person shall be upon the defendant.

(b) The penalty for a defendant found guilty of murder in the first degree, in any case in which one or more special circumstances enumerated in Section 190.2 or 190.25 has been found to be true under Section 190.4, who was 16 years of age or older and under the age of 18 years at the time of the commission of the crime,

shall be confinement in the state prison for life without the possibility of parole or, at the discretion of the court, 25 years to life.

(c) The trier of fact shall determine the existence of any special circumstance pursuant to the procedure set forth in Section 190.4.

SEC. 13. Section 206 is added to the Penal Code, to read:

206. Every person who, with the intent to cause cruel or extreme pain and suffering for the purpose of revenge, extortion, persuasion, or for any sadistic purpose, inflicts great bodily injury as defined in Section 12022.7 upon the person of another, is guilty of torture.

The crime of torture does not require any proof that the victim suffered pain.

SEC. 14. Section 206.1 is added to Penal Code, to read:

206.1. Torture is punishable by imprisonment in the state prison for a term of life.

SEC. 15. Section 859 of the Penal Code is amended to read:

859. When the defendant is charged with the commission of a public offense over which the superior court has original jurisdiction, by a written complaint subscribed under oath and on file in a court within the county in which the public offense is triable, he or she shall, without unnecessary delay, be taken before a magistrate of the court in which the complaint is on file. The magistrate shall immediately deliver to the defendant a copy of the complaint, inform the defendant that he or she has the right to have the assistance of counsel, ask the defendant if he or she desires the assistance of counsel, and allow the defendant reasonable time to send for counsel. However, in a capital case, the court shall inform the defendant that the defendant must be represented in court by counsel at all stages of the preliminary and trial proceedings and that the representation will be at the defendant's expense if the defendant is able to employ counsel or at public expense if he or she is unable to employ counsel, inquire of him or her whether he or she is able to employ counsel and, if so, whether the defendant desires to employ counsel of the defendant's choice or to have counsel assigned for him or her, and allow the defendant a reasonable time to send for his or her chosen or assigned counsel. The magistrate must, upon the request of the defendant, require a peace officer to take a message to any counsel whom the defendant may name, in the judicial district in which the court is situated. The officer shall, without delay and without a fee, perform that duty. If the defendant desires and is unable to employ counsel, the court shall assign counsel to defend him or her; in a capital case, if the defendant is able to employ counsel and either refuses to employ counsel or appears without counsel after having had a reasonable time to employ counsel, the court shall assign counsel to defend him or her. If it appears that the defendant may be a minor, the magistrate shall ascertain whether that is the case, and if the magistrate concludes that it is probable that the defendant is a minor, he or she shall immediately either notify the parent or guardian of the minor, by telephone or messenger, of the arrest, or appoint counsel to represent the minor. ~~The prosecuting attorney shall deliver to, or make accessible for inspection and copying by, the defendant or counsel, copies of the police, arrest, and crime reports, upon the first court appearance of counsel, or upon a determinatioin by a magistrate that the defendant can represent himself or herself. If unavailable to the prosecuting attorney at the time of that appearance or determination, the reports shall be delivered within two calendar days. Portions of those reports containing privileged information need not be disclosed if the defendant or counsel has been notified that privileged information has not been disclosed. If the charges against the defendant are~~

~~dismissed prior to the time the above-mentioned documents are delivered or made accessible, the prosecuting attorney need not deliver or make accessible those documents unless otherwise so compelled by law. The court shall not dismiss a case because of the failure of the prosecuting attorney to immediately deliver copies of the reports or to make them accessible for inspection and copying.~~

SEC. 16. Section 866 of the Penal Code is amended to read:

866. *(a)* When the examination of witnesses on the part of the people is closed, any ~~witnesses~~ *witness* the defendant may produce ~~must~~ *shall* be sworn and examined.

Upon the request of the prosecuting attorney, the magistrate shall require an offer of proof from the defense as to the testimony expected from the witness. The magistrate shall not permit the testimony of any defense witness unless the offer of proof discloses to the satisfaction of the magistrate, in his or her sound discretion, that the testimony of that witness, if believed, would be reasonably likely to establish an affirmative defense, negate an element of a crime charged, or impeach the testimony of a prosecution witness or the statement of a declarant testified to by a prosecution witness

(b) It is the purpose of a preliminary examination to establish whether there exists probable cause to believe that the defendant has committed a felony. The examination shall not be used for purposes of discovery.

(c) This section shall not be construed to compel or authorize the taking of depositions of witnesses.

SEC. 17. Section 871.6 is added to the Penal Code, to read:

871.6. If in a felony case the magistrate sets the preliminary examination beyond the time specified in Section 859b, in violation of Section 859b, or continues the preliminary hearing without good cause and good cause is required by law for such a continuance, the people or the defendant may file a petition for writ of mandate or prohibition in the superior court seeking immediate appellate review of the ruling setting the hearing or granting the continuance Such a petition shall have precedence over all other cases in the court to which the petition is assigned. If the superior court grants a peremptory writ, it shall issue the writ and a remittitur three court days after its decision becomes final as to the court if this action is necessary to prevent mootness or to prevent frustration of the relief granted, notwithstanding the rights of the parties to seek review in a court of appeal When the superior court issues the writ and remittitur as provided in this section, the writ shall command the magistrate to proceed with the preliminary hearing without further delay, other than that reasonably necessary for the parties to obtain the attendance of their witnesses.

The court of appeal may stay or recall the issuance of the writ and remittitur. The failure of the court of appeal to stay or recall the issuance of the writ and remittitur shall not deprive the parties of any right they would otherwise have to appellate review or extraordinary relief.

SEC. 18. Section 872 of the Penal Code is amended to read:

872. (a) If, however, it appears from the examination that a public offense has been committed, and there is sufficient cause to believe *that* the defendant *is* guilty ~~thereof~~, the magistrate ~~must~~ *shall* make or indorse on the complaint an order, signed by him *or her*, to the following effect: "It appearing to me that the offense in the within complaint mentioned (or any offense, according to the fact, stating generally the nature thereof), has been committed, and that there is

sufficient cause to believe *that* the within named A.B. *is* guilty ~~thereof~~, I order that he *or she* be held to answer to the same."

~~(b) The finding of sufficient cause may be based in whole or in part upon hearsay evidence in the form of written statements of witnesses in lieu of testimony. At the time the defendant appears before the magistrate for arraign-/ment, the prosecuting attorney may file with the court, and furnish a copy to the defendant, a statement made under penalty of perjury of the testimony of any witness which the prosecution wishes to introduce into evidence at the exami-/nation in lieu of the testimony of the witness. The statement shall be considered as evidence in the examination. This subdivision shall not apply if the witness is a victim of a crime against his or her person, or the testimony of the witness includes eyewitness identification of a defendant, or the prosecuting attorney has not filed with the court and furnished a copy to the defendant the statement of the testimony of the witness at the time of the arraignment or at least 10 court days prior to the date set for the preliminary hearing. For the purposes of this section an "eyewitness" is any person who sees the perpetrator during the commission of the crime charged, whether or not he or she can identify the perpetrator.~~

~~(c) Nothing in this section shall limit the right of the defendant to call any witness for examination at the preliminary hearing. If the witness called by the defendant is one whose statement of testimony was offered by the prosecuting attorney as provided in subdivision (b), the defendant shall have the right to cross-/examine the witness as to all matters asserted in the statement. If the defendant makes reasonable efforts to secure the attendance of the witness but is unsuccessful in securing his or her attendance, the court shall grant a short continuance at the request of the defendant and shall require the prosecuting attorney to present the witness for cross-/examination. If the prosecuting attor-/ney fails to present the witness for cross-/examination, the statement of the tes-/timony of the witness shall not be considered as evidence in the examination.~~

(b) Notwithstanding Section 1200 of the Evidence Code, the finding of probable cause may be based in whole or in part upon the sworn testimony of a law enforcement officer relating the statements of declarants made out of court offered for the truth of the matter asserted. Any law enforcement officer testifying as to hearsay statements shall either have five years of law enforcement experience or have completed a training course certified by the Commission on Peace Officer Standards and Training which includes training in the investigation and reporting of cases and testifying at preliminary hearings.

SEC. 19. Section 954.1 is added to the Penal Code, to read:

954.1. In cases in which two or more different offenses of the same class of crimes or offenses have been charged together in the same accusatory pleading, or where two or more accusatory pleadings charging offenses of the same class of crimes or offenses have been consolidated, evidence concerning one offense or offenses need not be admissible as to the other offense or offenses before the jointly charged offenses may be tried together before the same trier of fact.

SEC. 20. Section 987.05 is added to the Penal Code, to read:

987.05. In assigning defense counsel in felony cases, whether it is the public defender or private counsel, the court shall only assign counsel who represents, on the record, that he or she will be ready to proceed with the preliminary hearing or trial, as the case may be, within the time provisions prescribed in this code for preliminary hearings and trials, except in those unusual cases where the court finds that, due to the nature of the case, counsel cannot reasonably be expected

to be ready within the prescribed period if he or she were to begin preparing the case forthwith and continue to make diligent and constant efforts to be ready. In the case where the time of preparation for preliminary hearing or trial is deemed greater than the statutory time, the court shall set a reasonable time period for preparation. In making this determination, the court shall not consider counsel's convenience, counsel's calendar conflicts, or counsel's other business. The court may allow counsel a reasonable time to become familiar with the case in order to determine whether he or she can be ready. In cases where counsel, after making representations that he or she will be ready for preliminary examination or trial, and without good cause is not ready on the date set, the court may relieve counsel from the case and may impose sanctions upon counsel, including, but not limited to, finding the assigned counsel in contempt of court, imposing a fine, or denying any public funds as compensation for counsel's services. Both the prosecuting attorney and defense counsel shall have a right to present evidence and argument as to a reasonable length of time for preparation and on any reasons why counsel could not be prepared in the set time.

SEC. 21. Section 1049.5 is added to the Penal Code, to read:

1049.5. In felony cases, the court shall set a date for trial which is within 60 days of the defendant's arraignment in the superior court unless, upon a showing of good cause as prescribed in Section 1050, the court lengthens the time. If the court, after a hearing as prescribed in Section 1050, finds that there is good cause to set the date for trial beyond the 60 days, it shall state on the record the facts proved that justify its finding. A statement of facts proved shall be entered in the minutes.

SEC. 22 Section 1050.1 is added to the Penal Code, to read:

1050.1 In any case in which two or more defendants are jointly charged in the same complaint, indictment, or information, and the court or magistrate, for good cause shown, continues the arraignment, preliminary hearing, or trial of one or more defendants, the continuance shall, upon motion of the prosecuting attorney, constitute good cause to continue the remaining defendants' cases so as to maintain joinder. The court or magistrate shall not cause jointly charged cases to be severed due to the unavailability or unpreparedness of one or more defendants unless it appears to the court or magistrate that it will be impossible for all defendants to be available and prepared within a reasonable period of time.

SEC. 23. Chapter 10 (commencing with Section 1054) is added to Title 6 of Part 2 of the Penal Code, to read:

CHAPTER 10. DISCOVERY

1054. This chapter shall be interpreted to give effect to all of the following purposes:

(a) To promote the ascertainment of truth in trials by requiring timely pretrial discovery

(b) To save court time by requiring that discovery be conducted informally between and among the parties before judicial enforcement is requested.

(c) To save court time in trial and avoid the necessity for frequent interruptions and postponements.

(d) To protect victims and witnesses from danger, harassment, and undue delay of the proceedings

(e) To provide that no discovery shall occur in criminal cases except as provided by this chapter, other express statutory provisions, or as mandated by the Constitution of the United States

1054.1. The prosecuting attorney shall disclose to the defendant or his or her attorney all of the following materials and information, if it is in the possession of the prosecuting attorney or if the prosecuting attorney knows it to be in the possession of the investigating agencies:

(a) The names and addresses of persons the prosecutor intends to call as witnesses at trial.

(b) Statements of all defendants.

(c) All relevant real evidence seized or obtained as a part of the investigation of the offenses charged.

(d) The existence of a felony conviction of any material witness whose credibility is likely to be critical to the outcome of the trial.

(e) Any exculpatory evidence.

(f) Relevant written or recorded statements of witnesses or reports of the statements of witnesses whom the prosecutor intends to call at the trial, including any reports or statements of experts made in conjunction with the case, including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the prosecutor intends to offer in evidence at the trial

1054.2. No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause.

1054.3. The defendant and his or her attorney shall disclose to the prosecuting attorney:

(a) The names and addresses of persons, other than the defendant, he or she intends to call as witnesses at trial, together with any relevant written or recorded statements of those persons, or reports of the statements of those persons, including any reports or statements of experts made in connection with the case, and including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial.

(b) Any real evidence which the defendant intends to offer in evidence at the trial.

1054.4 Nothing in this chapter shall be construed as limiting any law enforcement or prosecuting agency from obtaining nontestimonial evidence to the extent permitted by law on the effective date of this section.

1054.5 (a) No order requiring discovery shall be made in criminal cases except as provided in this chapter. This chapter shall be the only means by which the defendant may compel the disclosure or production of information from prosecuting attorneys, law enforcement agencies which investigated or prepared the case against the defendant, or any other persons or agencies which the prosecuting attorney or investigating agency may have employed to assist them in performing their duties.

(b) Before a party may seek court enforcement of any of the disclosures required by this chapter, the party shall make an informal request of opposing counsel for the desired materials and information If within 15 days the opposing counsel fails to provide the materials and information requested, the party may seek a court order. Upon a showing that a party has not complied with Section 1054.1 or 1054.3 and upon a showing that the moving party complied with the informal discovery procedure provided in this subdivision, a court may make any order necessary to enforce the provisions of this chapter, including, but not limited to, immediate disclosure, contempt proceedings, delaying or prohibiting

the testimony of a witness or the presentation of real evidence, continuance of the matter, or any other lawful order. Further, the court may advise the jury of any failure or refusal to disclose and of any untimely disclosure.

(c) The court may prohibit the testimony of a witness pursuant to subdivision (b) only if all other sanctions have been exhausted. The court shall not dismiss a charge pursuant to subdivision (b) unless required to do so by the Constitution of the United States.

1054.6. Neither the defendant nor the prosecuting attorney is required to disclose any materials or information which are work product as defined in subdivision (c) of Section 2018 of the Code of Civil Procedure, or which are privileged pursuant to an express statutory provision, or are privileged as provided by the Constitution of the United States.

1054.7. The disclosures required under this chapter shall be made at least 30 days prior to the trial, unless good cause is shown why a disclosure should be denied, restricted, or deferred. If the material and information becomes known to, or comes into the possession of, a party within 30 days of trial, disclosure shall be made immediately, unless good cause is shown why a disclosure should be denied, restricted, or deferred. "Good cause" is limited to threats or possible danger to the safety of a victim or witness, possible loss or destruction of evidence, or possible compromise of other investigations by law enforcement.

Upon the request of any party, the court may permit a showing of good cause for the denial or regulation of disclosures, or any portion of that showing, to be made in camera. A verbatim record shall be made of any such proceeding. If the court enters an order granting relief following a showing in camera, the entire record of the showing shall be sealed and preserved in the records of the court, and shall be made available to an appellate court in the event of an appeal or writ. In its discretion, the trial court may after trial and conviction, unseal any previously sealed matter.

SEC. 24. Section 1102.5 of the Penal Code is repealed.

~~1102.5. (a) Upon motion, the prosecution shall be entitled to obtain from the defendant or his or her counsel, all statements, oral or however preserved, by any defense witness other than the defendant, after that witness has testified on direct examination at trial. At the request of the defendant or his or her counsel, the court shall review the statement in camera and limit discovery to those matters within the scope of the direct testimony of the witness. As used in this section, the statement of a witness includes factual summaries, but does not include the impressions, conclusions, opinions, or legal research or theories of the defendant, his or her counsel, or agent.~~

~~(b) The prosecution shall make available to the defendant, as soon as practicable, all evidence, including the names, addresses and statements of witnesses, which was obtained or prepared as a consequence of obtaining any discovery or information pursuant to this section.~~

~~(c) Nothing in this section shall be construed to deny either to the defendant or to the people information or discovery to which either is now entitled under existing law.~~

SEC. 25. Section 1102.7 of the Penal Code is repealed.

~~1102.7. Notwithstanding any other provision of law, the prosecution shall not be required to furnish to the defendant himself or herself, but only to his or her attorney, the address or telephone number of any victim or witness absent a showing of good cause as determined by the court, unless the defendant is acting as his or her own attorney. When an address or telephone number is released to~~

~~the defendant's attorney, the court shall order the defendant's attorney not to disclose the information to the defendant.~~

~~If the defendant is acting as his or her own attorney in a case involving force or violence, dangerous or deadly weapons, or witness intimidation and where there is a possibility that the defendant poses a continuing threat to the victim or witness, the court shall protect the address and telephone number of the victim or witness by providing for contact only through a court-appointed licensed private investigator or by imposing other reasonable restrictions. When an address or telephone number is released to a court-appointed licensed private investigator, the court shall order the investigator not to disclose this information to the defendant.~~

SEC. 26. Section 1385.1 is added to the Penal Code, to read:

1385.1. Notwithstanding Section 1385 or any other provision of law, a judge shall not strike or dismiss any special circumstance which is admitted by a plea of guilty or nolo contendere or is found by a jury or court as provided in Sections 190.1 to 190.5, inclusive.

SEC. 27. Section 1430 of the Penal Code is repealed.

~~1430. The prosecuting attorney shall deliver to, or make accessible for inspection and copying by, the defendant or counsel, copies of the police, arrest, and crime reports, upon the first court appearance of counsel, or upon a determination by a magistrate that the defendant can represent himself or herself. If unavailable to the prosecuting attorney at the time of that appearance or determination, the report shall be delivered within two calendar days. Portions of those reports containing privileged information need not be disclosed if the defendant or his or her counsel has been notified that privileged information has not been disclosed. If the charges against the defendant are dismissed prior to the time the above-mentioned documents are delivered or made accessible, the prosecuting attorney need not deliver or make accessible such documents unless otherwise so compelled by law. The court shall not dismiss a case because of the failure of the prosecuting attorney to immediately deliver copies of the reports or to make them accessible for inspection and copying.~~

SEC. 28. Section 1511 is added to the Penal Code, to read:

1511. If in a felony case the superior court sets the trial beyond the period of time specified in Section 1049.5, in violation of Section 1049.5, or continues the hearing of any matter without good cause, and good cause is required by law for such a continuance, either party may file a petition for writ of mandate or prohibition in the court of appeal seeking immediate appellate review of the ruling setting the trial or granting the continuance. Such a petition shall have precedence over all other cases in the court to which the petition is assigned, including, but not limited to, cases that originated in the juvenile court. If the court of appeal grants a peremptory writ, it shall issue the writ and a remittitur three court days after its decision becomes final as to that court if such action is necessary to prevent mootness or to prevent frustration of the relief granted, notwithstanding the right of the parties to file a petition for review in the Supreme Court. When the court of appeal issues the writ and remittitur as provided herein, the writ shall command the superior court to proceed with the criminal case without further delay, other than that reasonably necessary for the parties to obtain the attendance of their witnesses.

The Supreme Court may stay or recall the issuance of the writ and remittitur. The Supreme Court's failure to stay or recall the issuance of the writ and

remittitur shall not deprive the respondent or the real party in interest of its right to file a petition for review in the Supreme Court.

SEC. 29. If any provision of this measure or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the measure which can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

SEC. 30. The statutory provisions contained in this measure may not be amended by the Legislature except by statute passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

INITIATIVE STATUTES

Number on ballot

116. **Rail Transportation. Bond Act.**

[Submitted by the initiative and approved by electors June 5, 1990.]

PROPOSED LAW

SEC 1. Part 11.5 (commencing with Section 99600) is added to Division 10 of the Public Utilities Code, to read:

PART 11.5. CLEAN AIR AND TRANSPORTATION IMPROVEMENT ACT OF 1990

CHAPTER 1. GENERAL PROVISIONS

99600. This part shall be known as the Clean Air and Transportation Improvement Act of 1990.

99601. The people of California find and declare all of the following:

(a) Rail transportation results in cleaner air, less energy use, more transportation opportunities for those who cannot drive, and less crowding on already overcrowded streets and highways.

(b) For these reasons, it is appropriate to use state general obligation bonds to finance rail infrastructure.

(c) This part will result in implementation of part of an overall transportation plan which will provide cleaner air and better transportation options for all Californians.

99602. For purposes of this part, the following terms have the following meanings, unless expressly stated otherwise:

(a) "CalTrain" means the commuter rail service operated along the San Francisco Peninsula commute corridor.

(b) "Commission" means the California Transportation Commission.

(c) "Commuter rail service" and its derivative terms have the same meaning as the term "commuter service" and its derivative terms, as defined in paragraph (9) of subsection (a) of Section 502 of Title 45 of the United States Code.

(d) "Department" means the Department of Transportation.

(e) "Exclusive public mass transit guideway" means a transit capital improvement included in the definition of this term as applied and used in 70 Op. Atty. Gen. 119 or a transit capital improvement for which motor vehicle fuel tax funds from the State Highway Account in the State Transportation Fund were actually allocated by the commission on or before January 1, 1989.

(f) "Fund" means the Clean Air and Transportation Improvement Fund created by Section 99610.

(g) "Grade separations" means grade separations for either passenger or freight rail services.

(h) "Intercity rail" and its derivative terms means passenger rail service between urban areas of the state.

(i) "Local agency" means a county, city, city and county, county transportation commission, county transportation authority, transit development board, transit district, or any joint powers agency specified in this part.

(j) "Rail project" means a commuter passenger rail service project, an intercity passenger rail project, or a rail transit project, and includes exclusive public mass transit guideway projects and the project described in Section 99624.

(k) "Rail transit" means a rail mass transportation operation usually within an urban area, generally characterized by more frequent service over shorter distances than normally provided by commuter rail service or intercity rail service, and operating on a rail line without any or with very limited rail freight service.

(l) "Right-of-way" means right-of-way for rail purposes, including separate right-of-way alignments adjacent to existing freight lines.

99603. (a) The department shall establish an advisory committee to assist the department in developing specifications for standard state-of-the-art California commuter and intercity rail cars and locomotives. The committee shall consist of representatives from all affected local transportation agencies as well as the department's Division of Mass Transportation and one consumer representative.

(b) The purpose of the standard equipment is to facilitate joint procurement in economic quantities, to further interchangeability of equipment among corridors, and to reduce maintenance costs by minimizing the need for spare parts inventories.

(c) To the extent possible, the committee shall rely on the department's existing work in procuring new equipment for CalTrain.

(d) The committee shall investigate the feasibility of a uniform design of a rail car shell which could be deployed in both intercity and commuter rail applications, with car interiors to be appropriately outfitted for either intercity or commuter service.

(e) The committee shall consider two types of coach service, dining or cafe car service, or both, and economical sleeping car service for intercity applications.

(f) The committee shall consider inclusion of sanitary holding tanks and reasonable passenger amenities including, but not limited to, accommodations for a reasonable number of bicycles carried on board by passengers, for both intercity and commuter applications.

(g) Intercity equipment specifications shall not be adopted unless approved by the National Railroad Passenger Corporation.

99604. If bonds sufficient to fund the total aggregate of the amounts specified in Chapter 3 (commencing with Section 99620) cannot be sold pursuant to Chapter 6 (commencing with Section 99690), the allocation for each project shall be reduced proportionately.

99605 Except as otherwise provided in this part, the Legislature may amend this part, by statute passed in each house of the Legislature by rollcall vote entered in the journal, four-fifths of the membership concurring, if the statute is consistent with, and furthers the purposes of, this part. No changes shall be made in the way in which funds are allocated pursuant to Chapter 3 (commencing with

Section 99620), except pursuant to Section 99684.

CHAPTER 2. THE CLEAN AIR AND TRANSPORTATION IMPROVEMENT FUND

99610. The Clean Air and Transportation Improvement Fund is hereby created.

99611. It is the intent of the people of California, in enacting this part, that bond funds shall not be used to displace existing sources of funds for rail and other forms of public transportation, including, but not limited to, funds that have been provided pursuant to Article XIX of the California Constitution, the Transportation Planning and Development Account in the State Transportation Fund, the Mills-Alquist-Deddeh Act (Chapter 4 (commencing with Section 99200) of Part 11), and local transportation sales taxes; that any future comprehensive transportation funding legislation shall not offset or reduce the amounts otherwise made available for transit purposes by this act; and that funding for public transit should be increased from existing sources including fuel taxes and sales tax on fuels.

99612. Notwithstanding Section 13340 of the Government Code, all money deposited in the fund is hereby continuously appropriated to the commission, without regard to fiscal years, for allocation for grants to itself, the department, the Department of Parks and Recreation, and to local agencies pursuant to Chapter 3 (commencing with Section 99620).

99613. (a) The commission shall allocate money from the fund in accordance with the allocations specified in Chapter 3 (commencing with Section 99620) to the department, to the Department of Parks and Recreation, and to local agencies as grants for expenditure for the preservation, acquisition, construction, or improvement of any of the following:

(1) Rights-of-way for rail purposes.

(2) Rail terminals and stations.

(3) Rolling stock, including locomotives, passenger cars, and related rail equipment and facilities.

(4) Grade separations and other improvements along rail rights-of-way for rail purposes.

(5) Rail maintenance facilities.

(6) Other capital facilities deemed necessary for a specified rail service, including soundwalls.

(7) Capital expenditures for the purposes specified in subdivision (b) of Section 1 of Article XIX of the California Constitution.

(8) Paratransit vehicles, bicycle facilities, and water-borne ferry vessels and facilities.

(9) The project described in Section 99648

(b) The commission shall require each applicant for a grant pursuant to Chapter 3 (commencing with Section 99620), including the department, to demonstrate in its application that if the grant funds being applied for are awarded, no other funds which were previously planned, programmed, or approved for rail purposes will be used for other than rail purposes.

(c) Consistent with Section 99665, money from the fund may be used to satisfy any federal, state or local matching fund requirement for the project to be funded Money from the fund may be used to provide local matching funds for grade separations pursuant to subdivision (c) of Section 1202 or Section 1202.5.

(d) Authorized expenditures listed in paragraphs (1) to (7), inclusive, of subdivision (a) are "rail projects" as defined in subdivision (j) of Section 99602.

(e) Grant funds shall be expended only for capital expenditures.

(f) Projects to be funded shall include, to the greatest extent possible, projects which integrate and facilitate transfers between rail lines, including all rail lines for which funding is provided by this part.

99614. (a) Notwithstanding Section 16312 of the Government Code and Section 99694.5 of this part, the interest on any loans made from the Pooled Money Investment Account to the fund for the purposes of carrying out the purposes of this part shall be paid from the General Fund.

(b) Notwithstanding Section 13440 of the Government Code, the amounts required to be paid pursuant to subdivision (a) are hereby continuously appropriated from the General Fund.

(c) The appropriations for interest payments pursuant to subdivision (b) are appropriations for debt service, as defined in Section 8 of Article XIII B of the California Constitution, and are therefore exempt from the appropriations limit set by that article.

CHAPTER 3. GRANTS

99620. This chapter sets forth the purposes and the amounts for which allocations shall be made from the fund. Money from the fund shall be awarded as grants by the commission pursuant to Sections 99621 to 99651, inclusive, for the purposes specified in those sections. The amount of a grant awarded pursuant to any of those sections shall not exceed the amount specified therein. The department and local agencies may implement service funded pursuant to this chapter on an incremental basis. Partial grants may be made for preliminary engineering and design purposes

99621. One million dollars ($1,000,000) shall be allocated to the department to complete a survey of all rail rights-of-way in the state. The study shall be completed by December 31, 1991, and shall identify the status of all the rail corridors in the state and evaluate their relative importance and potential for future rail passenger service

99622. Two hundred thirty million dollars ($230,000,000) shall be allocated to the department for all of the following:

(a) Improvements to the Los Angeles-Fresno-San Francisco Bay Area passenger rail corridor and extension of the corridor to Sacramento, one hundred forty million dollars ($140,000,000), including at least sixty million dollars ($60,000,000) for rail rehabilitation and other rail improvements to provide intercity rail service between Fresno and Oakland via Madera, Merced, Turlock, and Modesto, and not more than thirty million dollars ($30,000,000) for rehabilitation and other rail improvements to provide intercity rail service between Stockton and Sacramento via Lodi and Galt.

(b) Preliminary engineering and feasibility studies of a high speed passenger rail link between Bakersfield and Los Angeles, five million dollars ($5,000,000).

(c) Implementation of intercity rail service from Placer County to Santa Clara County, eighty five million dollars ($85,000,000), of which not more than thirty five million dollars ($35,000,000) shall be for commuter rail service between Auburn and Davis, including funding for right-of-way acquisition. Service to Woodland may also be provided, if deemed practicable by the department.

99623. (a) Eighty one million dollars ($81,000,000) shall be allocated to the department for intercity and commuter rail projects along the Los Angeles-Santa Barbara rail corridor to be allocated for expenditure as follows:

(1) In Ventura County, thirty one million dollars ($31,000,000).

(2) In Santa Barbara County, seventeen million dollars ($17,000,000).

(3) In Los Angeles County, thirty three million dollars ($33,000,000).

(b) The funds allocated for expenditure in Los Angeles and Ventura Counties may be expended in coordination with a joint powers agency required to be established for commuter rail service pursuant to Section 130255 within that segment of the corridor.

99624 (a) Eighty million dollars ($80,000,000) to the department for grade separations along the Alameda-San Pedro branch rail line connecting the Los Angeles and Long Beach Harbors with downtown Los Angeles and paralleling Alameda Street, to alleviate vehicle traffic congestion, conserve energy, reduce air pollution in the area, and facilitate the more efficient and expeditious shipment of freight to and from the Los Angeles and Long Beach Harbors. The current owner of the Alameda-San Pedro branch line may, at its option, continue to own and operate the line and related right-of-way.

(b) The allocation and granting of funds pursuant to this Section shall be exempt from Sections 99653 and 99663 The allocation and granting of funds pursuant to this section shall also be exempt from subdivision (c) of Section 1202, and Sections 1202.5 and 99317.8 of the Public Utilities Code, and Sections 2450 to 2461, inclusive, of the Streets and Highways Code if the affected railroad corporation contributes ten (10) percent of the costs of constructing the grade separations funded pursuant to this section Notwithstanding any provision of this code or the Streets and Highways Code, no city on the Alameda-San Pedro branch line shall be assessed costs for the grade separations The department is the sole state agency responsible for designing, determining priorities, and implementing the construction of those grade separations. The department shall coordinate its planning with any joint powers agency established to represent affected cities, local agencies, or commissions. The department shall further coordinate and cooperate with any such joint powers agency so that the expenditure of any federal, local, and private funds including those for tracks, switching, and interconnection improvements, and the possible construction of a proposed Alameda Street truck corridor is accomplished in an efficient and well-planned manner

(c) For the purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), grade separations funded pursuant to this section and all related track and switching improvements and rail interconnections shall be considered to be one project.

99625. (a) Six million dollars ($6,000,000) shall be allocated to the department for the improvement of rail service, including rail freight service and tourist-related services, important to the regional economy of Humboldt County.

(b) The commission shall not approve a grant for purposes of this section unless the Board of Supervisors of the County of Humboldt makes a finding that the project proposed for funding is in the public interest and vital to the economy of the county and the commission determines that the proposed project will serve a public purpose.

(c) Notwithstanding subdivisions (a) and (b), the grant authorized by this section may be used by the Humboldt County Association of Governments, at its request, for any of the purposes specified in Section 99628.

99626. (a) Four million dollars ($4,000,000) shall be allocated to the department for the improvement of rail service, including rail freight service and tourist-related services, important to the regional economy of Mendocino County

(b) The commission shall not approve a grant for purposes of this section unless the Board of Supervisors of the County of Mendocino makes a finding that

the project proposed for funding is in the the public interest and vital to the economy of the county and the commission determines that the proposed project will serve a public purpose.

(c) Notwithstanding subdivisions (a) and (b), the grant authorized by this section may be used by the Mendocino Council of Governments, at its request, for any of the purposes specified in Section 99628.

99627. (a) If the Legislature establishes a railroad transportation authority which includes, or which is subsequently expanded to include, within its jurisdiction, Humboldt County or Mendocino County, or both of them, the authority shall be substituted for the department and affected councils of government as the applicant and the grantee agency for purposes of Sections 99625 and 99626.

(b) If the authority includes, or is expanded to include, within its jurisdiction, Del Norte County, the authority shall be substituted for the county as the applicant and grantee agency for purposes of Section 99628.

99628. (a) Seventy three million dollars ($73,000,000) for allocation by the commission on a per capita basis to the Counties of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Imperial, Inyo, Lake, Lassen, Mariposa, Modoc, Mono, Napa, Nevada, Plumas, San Benito, San Luis Obispo, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, and Yuba, for railroad grade crossing improvements, acquisition of railroad rights-of-way for rail transportation purposes, rail passenger or other rail stations, railroad soundwalls, and other local rail improvements for safety; purchase of paratransit vehicles; and other capital facilities for public transportation. Funds may not be allocated for street or highway improvements, operations, maintenance, or construction.

(b) Application for grants shall be submitted to the commission by the transportation planning agency having jurisdiction in the county.

(c) If the commission has not received applications by December 31, 1992, for all of the funds available for allocation pursuant to this section, it may reallocate the remaining funds on the basis of a competitive grants program to the counties specified in subdivision (a) The commission shall adopt regulations or guidelines governing the competitive program allocations to proposals which best serve the purposes of this part

(d) Funds allocated pursuant to this section and Section 99639 may be pooled by any combination of the recipient counties and used with private funds to acquire existing railroad rights-of-ways for passenger and freight rail projects, or for other rail projects.

99629. Two hundred two million dollars ($202,000,000) shall be allocated to the Los Angeles-San Diego Rail Corridor Agency for intercity and commuter rail projects for expenditure as follows.

(a) In San Diego County, forty five million dollars ($45,000,000).

(b) In Orange County, eighty two million dollars ($82,000,000).

(c) In Los Angeles County, seventy five million dollars ($75,000,000)

99630. Two hundred twenty nine million dollars ($229,000,000) shall be allocated to the Los Angeles County Transportation Commission, for expenditure on rail projects within Los Angeles County as follows·

(a) Not less than eighty million dollars ($80,000,000) thereof shall be allocated for Metro Rail.

(b) Not less than eighty million dollars ($80,000,000) thereof shall be allocated for rail projects other than Metro Rail within Los Angeles County.

99631. (a) Seventy nine million dollars ($79,000,000) shall be allocated to the joint powers agency required to be established pursuant to Section 130255, for the San Bernardino-Riverside-Orange County rail corridor, for expenditure for commuter rail projects as follows:

(1) In Riverside County, forty seven million dollars ($47,000,000).

(2) In Orange County, twenty seven million dollars ($27,000,000).

(3) In San Bernardino County, five million dollars ($5,000,000).

(b) If full or partial funding for the project in Riverside County becomes available from other sources, application may be made by the Riverside County Transportation Commission to use the portion of the grant not needed for the project for other rail projects in the county.

(c) If full or partial funding for the project in San Bernardino County becomes available from other sources, application may be made by the San Bernardino County Transportation Commission to use the portion of the grant not needed for the project for other rail projects in the county.

(d) If full or partial funding for the project in Orange County becomes available from other sources, application may be made by the Orange County Transportation Commission to use the portion of the grant not needed for the project for other rail projects in the county.

99632. (a) Ninety eight million dollars ($98,000,000) shall be allocated to the joint powers agency required to be established pursuant to Section 130255, for the San Bernardino-Los Angeles rail corridor, for expenditure for commuter rail projects as follows·

(1) In Los Angeles County, forty two million dollars ($42,000,000).

(2) In San Bernardino County, fifty six million dollars ($56,000,000)

(b) If full or partial funding for the project in Los Angeles County becomes available from other sources, the Los Angeles County Transportation Commission may make application to use the portion of the grant not needed for the project for other rail projects in the county

(c) If full or partial funding for the project in San Bernardino County becomes available from other sources, application may be made by the San Bernardino County Transportation Commission to use the portion of the grant not needed for the project for other rail projects in the county.

99633. Sixty one million dollars ($61,000,000) shall be allocated to the Alameda County Transportation Authority for expenditure on rail projects of the San Francisco Bay Area Rapid Transit District and other rail projects within Alameda County, as determined by the authority. Projects funded pursuant to this section shall be consistent with the new rail starts and extensions plan of the Metropolitan Transportation Commission

99634 Thirty seven million dollars ($37,000,000) shall be allocated to the Contra Costa Transportation Authority for expenditure on rail projects of the San Francisco Bay Area Rapid Transit District and other rail projects within Contra Costa County, as determined by the authority. Projects funded pursuant to this section shall be consistent with the new rail starts and extensions plan of the Metropolitan Transportation Commission.

99635 Thirty five million dollars ($35,000,000) shall be allocated to the Public Utilities Commission of the City and County of San Francisco, for expenditure for rail projects within the City and County of San Francisco.

99636 One hundred seventy three million dollars ($173,000,000) shall be allocated to the Peninsula Corridor Study Joint Powers Board for CalTrain capital improvements and acquisition of rights-of-way, as follows:

(a) In the City and County of San Francisco, thirteen million dollars ($13,000,000).

(b) In San Mateo County, nineteen million dollars ($19,000,000).

(c) In Santa Clara County, twenty one million dollars ($21,000,000), to be allocated for expenditure as follows:

(1) Existing service from San Jose, seventeen million dollars ($17,000,000).

(2) Extension of service south of San Jose to the county line, four million dollars ($4,000,000).

(d) Acquisition of rights-of-way, one hundred twenty million dollars ($120,000,000).

99637. Ten million dollars ($10,000,000) shall be allocated to the San Mateo County Transit District for expenditure for extensions of the San Francisco Bay Area Rapid Transit District within San Mateo County.

99638. Seventeen million dollars ($17,000,000) shall be allocated to the Monterey County Transportation Commission for the following:

(a) Extension of CalTrain service.

(b) Other rail projects within Monterey County.

99639. (a) Twenty eight million dollars ($28,000,000) shall be allocated to a joint powers agency responsible for expenditure for a rail project along the Santa Rosa to Larkspur rail corridor

(b) Notwithstanding subdivision (a), eleven million dollars ($11,000,000) of the grant authorized by this section may be allocated to the Board of Supervisors of the County of Marin, and seventeen million dollars ($17,000,000) may be allocated to the Board of Supervisors of the County of Sonoma, for expenditure on the rail project described in subdivision (a) or for any of the purposes specified in Section 99628, if both boards concur.

99640. Eleven million dollars ($11,000,000) shall be allocated to the Santa Cruz County Transportation Commission for the following:

(a) Intercity passenger rail projects connecting the City of Santa Cruz with the Watsonville Junction.

(b) Other rail projects within Santa Cruz County which facilitate recreational, commuter, intercity and intercounty travel.

99641 Forty seven million dollars ($47,000,000) shall be allocated to the Santa Clara County Transit District, for expenditure for rail projects within Santa Clara County.

99642. Seventy seven million dollars ($77,000,000) shall be allocated on a per capita basis to the San Diego Metropolitan Transit Development Board and the North San Diego County Transit Development Board for expenditure for rail projects within San Diego County.

99643. One hundred million dollars ($100,000,000) shall be allocated to the Sacramento Regional Transit District for rail transit projects.

99644. Fourteen million dollars ($14,000,000) shall be allocated to the San Joaquin Council of Governments for expenditure for rail projects along the Stockton-Manteca-Tracy corridor to the Alameda County line, including three hundred thousand dollars ($300,000) for a preliminary engineering and economic study of passenger rail service along the Stockton-Livermore (Altamont) corridor. Projects funded pursuant to this section shall be consistent with a locally adopted regional transportation plan

99645. One hundred twenty five million dollars ($125,000,000) shall be allocated to the City of Irvine for construction of a guideway demonstration project.

99646. Ten million dollars ($10,000,000) shall be allocated to the City of Vallejo for expenditure on water-borne ferry vessels and terminal improvements.

99647. Seven million dollars ($7,000,000) shall be allocated to the City of South Lake Tahoe for expenditure on acquisition of rights-of way, construction of an intermodal station, and related facilities for an exclusive public mass transit guideway project.

99648. Five million dollars ($5,000,000) to the Department of Parks and Recreation for construction of the California State Museum of Railroad Technology. These funds shall be provided to the Department of Parks and Recreation when sufficient funding for the entire project is available.

99649. (a) One hundred million dollars ($100,000,000) shall be allocated by the commission to fund a competitive program for the acquisition of both commuter and intercity rail cars and locomotives designed pursuant to Section 99603. Local agencies and the department may apply for these funds, which shall be allocated to the department for a joint purchase. No matching funds shall be required for this competitive program. A local agency may contract with the department for purchase of additional rail equipment funded with other funds available to the local agency, including funds made available by this chapter. No funds made available by the commission pursuant to this chapter shall be used to purchase intercity or commuter rail cars or locomotives other than the standard equipment designed pursuant to Section 99603.

(b) The department shall estimate the need for commuter and intercity rail cars and locomotives to be ordered pursuant to this section and establish a delivery schedule based on the needs of the operators of rail service. Orders for rail cars and locomotives shall include options as deemed necessary by the department to ensure that equipment is delivered when needed and to permit additional future orders

(c) The department may purchase rail cars and locomotives by competitive bid or competitive negotiation, and may negotiate sale-lease back provisions if determined to be advantageous. Proceeds from sale-lease back shall be used to acquire additional rail cars and equipment.

99650 (a) Twenty million dollars ($20,000,000) shall be allocated to fund a program of competitive grants to local agencies for capital outlay for bicycle improvement projects which improve safety and convenience for bicycle commuters.

(b) Grants for the establishment of separate bicycle paths and ways shall be awarded only if the department determines that the route established will be principally used by bicycle commuters.

99651 Twenty million dollars ($20,000,000) shall be allocated to fund a program of competitive grants to local agencies for the construction, improvement, acquisition, and other capital expenditures associated with water-borne ferry operations for the transportation of passengers or vehicles, or both.

99652 Not more than ten million dollars ($10,000,000) may be allocated for the administration of this part by the commission to pay its expenses and the expenses of the department in administering this part. The commission may contract with the department for technical review services needed to review grant applications pursuant to this section. The commission shall not reduce the amount of a grant authorized by this chapter to defray the costs of analyzing grant applications or any other costs associated with its administration of this part

99653. In any case in which funds are granted or allocated for expenditure within specified counties or regions in or along a rail corridor, the grantee agency, including the department may, by resolution, and with the approval of the commission and of all the agencies which program capital improvements for transportation purposes along the affected part of the corridor, reallocate the funds for expenditure elsewhere along the corridor. For the purposes of this section, a corridor is a route used to provide passenger rail service.

99654. Any agency or combination of agencies which is the successor to an agency having any rights, powers, duties, or obligations under this part, including eligibility to apply for, award, receive, and expend a grant, shall fully succeed to those rights, powers, duties, and obligations.

CHAPTER 4. APPLICATIONS FOR GRANTS

99660. (a) The commission shall adopt guidelines, as necessary, to require that grants for transit projects be expended for projects which are essential to the implementation of safe and reliable transit services. The guidelines shall include criteria for the awarding of grants for new or rehabilitated rail construction for passenger rail projects, specifying a maximum cost per mile for service for various regions of the state.

(b) The purpose of this section is to facilitate implementation of improved cost-effective transit service to the maximum number of Californians and to prevent the funds provided for by this part from being spent on needlessly costly features.

99661. The department, the Department of Parks and Recreation, or a local agency responsible for a project which is eligible for a grant pursuant to Chapter 3 (commencing with Section 99620) may apply to the commission for a grant for that project. Each application shall identify the specific section of Chapter 3 which authorizes the grant applied for. If a project is proposed to be funded by grants authorized by more than one section, the application shall identify each of the applicable sections and shall specify the amount applied for under each of those sections.

99662. Two or more applicant agencies may join in applying for a grant for a project in which each of the agencies will participate.

99663. (a) In accordance with regulations and guidelines of the commission, each application shall be accompanied by a plan describing how the grant funds will be used, what other capital funds are available for the project, and how those funds will be used. The plan shall include a plan for operating any new service, including a financial plan for operation

(b) The plan shall also identify the sources of the remainder of the funds required for construction and operation of any new service.

(c) The application shall demonstrate that a reasonable share of the cost of any new or rehabilitated passenger rail service, as determined by the commission, will be covered by farebox revenue.

99664. (a) The commission, with the assistance of the department, shall commence its reveiw of an application for a grant within 30 days of receipt of the application.

(b) The application shall either be approved or denied by the commission within 180 days of its receipt, except that, if the commission requests additional information from the applicant, the time for approving or denying the application shall be calculated from the date that the commission receives the additional information requested

(c) If the commission denies an application, it shall state the specific reasons for that denial and may, in its discretion, permit the application to be amended to remove those grounds for denial. The commission shall have 180 days from the receipt of an amended application to either approve or deny the amended application.

(d) The commission shall not deny any application which meets the requirements of this part and which conforms to the regulations and guidelines of the commission for the award of grants, nor shall the commission unreasonably delay the approval of an application which substantially conforms to those requirements if the applicant agrees to allow the commission to modify the application to meet its conditions for approval.

99665. (a) To be eligible for a grant for a rail transit project pursuant to Section 99630, subdivision (b), (c), or (d) of Section 99631, subdivision (b) or (c) of Section 99632, Section 99633, 99634, 99635, 99637, subdivision (b) of Section 99638, Section 99639, subdivision (b) of Section 99640, Section 99641, 99642, 99643, 99644, or 99645, an applicant agency shall match on a dollar-for-dollar basis, the amount of the grant from other public or private sources and shall demonstrate, to the satisfaction of the commission, the availablity of those other funds.

(b) Local agencies shall not adopt new or increased development taxes, fees, or exactions or permit fees for the purpose of providing matching funds for any grant specified in subdivision (a) or to pay for operating costs of new service established by a grant made pursuant to this part.

(c) Bridge toll revenues otherwise available to a local agency may be used as a source of matching funds.

99666. The eligiblity of an applicant agency for a grant pursuant to a section of Chapter 3 (commencing with Section 99620) does not make it ineligible to apply for and receive a grant pursuant to any other provision of that chapter.

99667. (a) An application for a grant for a commuter rail or rail transit project within the area of jurisdiction of a transportation planning agency, as defined in Sections 29532 and 29532.4 of the Government Code, shall be subject to the grant review authority of the transportation planning agency.

99668. Each application for a grant to fund a segment of a commuter rail project shall demonstrate that the project is coordinated with all other planned and existing connecting commuter and intercity services, to maximize their efficiency and service to the people in the region.

(b) If practicable, a joint maintenance facility shall be developed for commuter and other rail equipment at a central location in Southern California.

(c) In order to maximize efficiency and avoid duplication of effort, a single joint powers agency may be established to implement and operate all commuter rail services in Southern California.

99669. An application for rail transit extension shall include a plan for integrating bus service with the rail line and for avoiding duplicative and competing bus service The commission shall submit the application to a peer review committee of at least three persons which shall evaluate the adequacy of the local agency's transit integration plan. The peer review committee shall be appointed by the commission from persons recommended by the department and shall include representatives of transit operators. The local agency shall either implement recommendations of the peer review committee or indicate why the recommendations are not being implemented. The commission shall review the

adequacy of the transit integration plan before approving the rail transit extension.

CHAPTER 5. CONDITIONS

99680. Funds allocated pursuant to this part shall not be used for any of the following:

(a) A rail project connecting San Bernardino County and the State of Nevada.

(b) Any alteration to the Golden Gate Bridge.

(c) Passenger rail facilities which would not be available to the general public or whose primary purpose would be to benefit a private entity or individual.

99681. Funds shall not be allocated for a project requiring service over the right-of-way of a railroad corporation unless a course of improvements and operation is agreed to by the railroad corporation or unless the right-of-way, or all or part of use of the right-of-way, is acquired by eminent domain or purchase. New or increased passenger service over the right-of-way of a railroad corporation shall be implemented in a manner which ensures the adequacy and efficiency of existing freight service. Neither the specific amounts allocated pursuant to Chapter 3 (commencing with Section 99620), nor any other provision of this part, are intended to indicate the actual fair market value of any railroad right-of-way to be acquired or leased.

99682. All passenger rail and water borne ferry equipment and facilities acquired or constructed pursuant to this part and intended for public use shall be accessible to persons with physical disabilities, including wheelchair users. All passenger vehicles and vessels shall be accessible to wheelchair users at all stops, stations and terminals whether or not staffed.

99683. All passenger vehicles and vessels acquired pursuant to this part shall provide reasonable access to bicycles. All stations acquired or constructed pursuant to this part shall provide convenient and secure bicycle parking facilities.

99684. (a) All funds allocated to an agency pursuant to this part shall be programmed, encumbered, obligated, or spent prior to July 1, 2000, unless economically infeasible. If funds allocated to an agency pursuant to this part are not expended or encumbered prior to July 1, 2000, the Legislature may, by a statute passed in each house by a two-thirds vote, reallocate those funds for another rail project within that agency's jurisdiction

(b) If any of the funds are not expended or encumbered prior to July 1, 2010, the Legislature may, in the same manner, reallocate the funds for any other passenger rail project in the state.

(c) In the case of funds allocated to the department, the reallocation shall be for a state-sponsored passenger rail project.

(d) The Legislature may, by statute passed in each house by majority vote, or in the annual Budget Bill, require the commission to award any grant specified in Chapter 3 (commencing with Section 99620) which the commission has denied.

99685. If, within one year after the commission has denied any grant specified in Chapter 3 (commencing with Section 99620), the Legislature does not require the commission to award the grant pursuant to Section 99684, the Governor may direct the commission to award the grant if the Governor finds that the applicant for the grant is in substantial compliance with the requirements of this part.

99686. Every expenditure made pursuant to this part shall be made in compliance with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code)

CHAPTER 6. BONDS

99690. This chapter shall be known and may be cited as the Clean Air and Transportation Improvement Bond Act of 1990.

99690.5. Bonds in the total amount of one billion nine hundred ninety million dollars ($1,990,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to be used for carrying out the purposes expressed in this part and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest as they become due and payable.

99691. The proceeds of bonds and notes issued and sold pursuant to this chapter shall be deposited in the Clean Air and Transportation Improvement Fund created by Section 99610.

99691.5. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all provisions of that law shall apply to the bonds and are hereby incorporated in this chapter as though set forth in full in this chapter.

99692 (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Transportation Improvement Finance Committee is hereby created. For purposes of this chapter, the Transportation Improvement Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee shall consist of the Controller, the Director of Finance, and the Treasurer, or their designated representatives. The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

(b) For purposes of this chapter, the commission is hereby designated as "the board."

99692 5 The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out this part, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those purposes progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time

99693. There shall be collected annually in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

99693.5. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund, for the purposes of this part, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out Section 99694, appropriated without regard to fiscal years.

99694. For the purposes of carrying out this part, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out those provisions. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund from money received from the sale of bonds which would otherwise be deposited in the fund

99694.5. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account in the General Fund, in accordance with Section 16312 of the Government Code, to carry out this part. The amount of the loan shall not exceed the amount of the unsold bonds which the committee has, by resolution, authorized to be sold for the purposes of this chapter. The board shall execute any documents as required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this chapter.

99695. All money derived from premium and accrued interest on bonds sold shall be reserved and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

99695.5 Any bonds issued or sold pursuant to this chapter may be refunded by the issuance of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code. Approval by the electors of the state for the issuance of the bonds shall include approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

99696. The people of California hereby find and declare that, inasmuch as the proceeds from the sale of bonds authorized by this part are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitation imposed by that article.

SEC. 2. Section 99310 5 of the Public Utilities Code is amended to read:

99310.5. *(a) The account is hereby designated a trust fund.*

(b) The funds in the account shall be available, when appropriated by the Legislature, *only* for transportation *planning and mass transportation* purposes, as specified *by the Legislature*.

(c) The Legislature may amend this section by statute passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with, and furthers the purposes of, this section.

SEC. 3. Section 99317 of the Public Utilities Code is amended to read

99317. (a) Funds made available pursuant to subdivision ~~(b)~~ *(c)* of Section 99315 shall be appropriated to the department for allocation, as directed by the commission, to fund the following types of transit ~~and intercity rail~~ capital improvement projects:

(1) ~~Railroad~~ *Abandoned railroad* rights-of-way acquisition.

(2) Bus rehabilitation

~~(2)~~ *(3)* Exclusive public mass transit guideways and rolling stock.

(4) Grade separations.

~~(3)~~ *(5)* Intermodal transfer stations serving various transportation modes.

~~(4)~~ *(6)* ~~Passenger ferries~~ *Ferry vessels* and terminals.

(b) Funds made available pursuant to Sections 199 and 199.1 of the Streets and Highways Code shall be appropriated to the department for allocation, as directed by the commission, solely to fund exclusive public mass transit guideways.

~~(c) Funds made available for capital outlay pursuant to subdivision (a) of Section 14031.6 of the Government Code and subdivision (a) of Section 99315 shall be appropriated to the department for allocation, as directed by the commission, solely for capital outlay improvements and rolling stock on intercity rail passenger routes.~~

~~(d) The amount of funds allocated for a transit capital improvement project, except an intercity rail transit capital improvement project, pursuant to this section shall not exceed 50 percent of the amount of the nonfederal share of project cost. This requirement shall not apply to projects for intercity rail as defined in Section 164.55 of the Streets and Highways Code.~~

(c) With respect to the sum of money available each fiscal year from the State Highway Account and the Transportation Planning and Development Account for transit capital improvements, the commission shall include, in the state transportation improvement program, one-half of the sum for expenditure in those counties which have adopted a proposition pursuant to Section 4 of Article XIX of the California Constitution. The portion of the amount to be included in the state transportation improvement program for each of those counties shall be in the proportion that its population bears to the total population of all those counties. Allocations pursuant to this subdivision shall be subject to the requirements for guideway financial plans and the ability of an agency to encumber funds on a timely basis, as specified in Sections 199.1, 199.2 and 199.3 of the Streets and Highways Code.

(d) The Legislature may amend this section, by statute passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with, and furthers the purposes of, this section.

SEC. 4. Section 7102 of the Revenue and Taxation Code is amended to read:

7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part, and pursuant to Section 1793.25 of the Civil Code, or be transferred in the following manner:

(a) (1) All revenues, less refunds, derived under this part at the 4¾-percent cent rate, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel which would not have been received if the sales and use tax rate had been 5 percent and if motor vehicle fuel, as defined for purposes of the Motor Vehicle Fuel License Tax Law (Part 2 (commencing with Section 7301)), had been exempt from sales and use taxes, shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, and shall be transferred ~~during each fiscal year~~ *quarterly* to the Transportation Planning and Development Account, *a trust fund* in the State Transportation Fund ~~for appropriation pursuant to Section 99312 of the Public Utilities Code~~.

(2) All revenues, less refunds, ~~due to~~ *derived under this part from* the imposition of sales and use taxes on fuel, as defined for purposes of the Use Fuel Tax ~~Law~~ (Part 3 (commencing with Section 8601)) ~~, at the 4¾ percent rate shall be transferred during each fiscal year to the Transportation Planning and Development Account for appropriation pursuant to Section 99312 of the Public Utilities Code~~.

~~(b) All revenues, less refunds, derived under this part at the 4¾ percent rate, resulting from increasing, after December 31, 1989, the rate of the tax imposed pursuant to the Motor Vehicle Fuel License Tax Law on motor vehicle fuel, as defined for purposes of that law, shall be transferred during each fiscal year to the Transportation Planning and Development Account for appropriation pursuant to Section 99312 of the Public Utilities Code.~~

~~(c) All revenues, less refunds, derived under this part from a rate of more than 4¾ percent pursuant to Sections 6051.1 and 6201.1 shall be transferred to the Disaster Relief Fund created by Section 16419 of the Government Code.~~ *shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, and shall be transferred quarterly to the Transportation Planning and Development Account, a trust fund in the State Transportation Fund.*

~~(d)~~ *(b)* The balance shall be transferred to the General Fund.

~~(e)~~ *(c)* The ~~estimate~~ *estimates* required by ~~subdivisions~~ *subdivision* (a) ~~and (b)~~ shall be based on taxable transactions occurring during a calendar year, and the transfers required by subdivision (a) shall be made during the fiscal year that commences during that same calendar year. Transfers required by paragraphs (1) and (2) ~~of subdivisions (a) and (b)~~ shall be made quarterly.

(d) The Legislature may amend this section, by statute passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with, and furthers the purposes of, this section.

SEC. 5. If any provision of this act or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this extent the provisions of this act are severable.

Number on ballot

117. **Wildlife Protection.**

[Submitted by the initiative and approved by electors June 5, 1990]

PROPOSED LAW

SECTION 1. This act shall be known and may be cited as the California Wildlife Protection Act of 1990.

SEC. 2. Chapter 9 (commencing with Section 2780) is added to Division 3 of the Fish and Game Code, to read:

CHAPTER 9 CALIFORNIA WILDLIFE PROTECTION ACT OF 1990

Article 1. General Provisions

2780. The people of California find and declare all of the following:

(a) Protection, enhancement, and restoration of wildlife habitat and fisheries are vital to maintaining the quality of life in California. As the state's human population increases, there is an urgent need to protect the rapidly disappearing wildlife habitats that support California's unique and varied wildlife resources.

(b) Much of the state's most important deer winter ranges have been destroyed in the last 20 years.

(c) Critical winter ranges of migratory deer in the Sierra Nevada and Cascade mountain ranges are increasingly subject to incompatible land uses. In some

counties, over 80 percent of the critical winter ranges fall on these lands. The potential for incompatible land uses on these lands is a major threat to the survival of many migratory deer herds.

(d) Deer, mountain lion, and other wildlife habitat within the Sierra Nevada, Cascade, Coast Range (including the Santa Lucia Mountains in Monterey County along the Central Coast), Siskiyou and Klamath Mountains; and the Santa Susana, Simi Hills, Santa Monica, San Gabriel, San Bernardino, San Jacinto, Santa Ana and other mountains and foothill areas within southern California, is disappearing rapidly. Small and often isolated wildlife populations are forced to depend upon these shrinking habitat areas within the heavily urbanizing areas of this state. Corridors of natural habitat must be preserved to maintain the genetic integrity of California's wildlife.

(e) This chapter shall be implemented in the most expeditious manner. All state officials shall implement this chapter to the fullest extent of their authority in order to preserve, maintain, and enhance California's diverse wildlife heritage and the habitats upon which it depends.

2781. The people of California find and declare that wildlife and fisheries conservation is in the public interest and that it is necessary to keep certain lands in open space and natural condition to protect significant environmental values of wildlife and native plant habitat, riparian and wetland areas, native oak woodlands, and other open-space lands, and to provide opportunities for the people of California to appreciate and visit natural environments and enjoy California's unique and varied fish and wildlife resources.

It is the intent of the people, in enacting this chapter, that additional funds are needed to protect fish, wildlife, and native plant resources and that the Legislature should provide those funds through bond acts and other appropriate sources.

Article 2. California Wildlife Protection

2785. The following definitions govern the construction of this chapter:

(a) "Acquisition" includes but is not limited to, gifts, purchases, leases, easements, the exercise of eminent domain if expressly authorized, the transfer or exchange of property for other property of like value, transfers of development rights or credits, and purchases of development rights and other interests.

(b) "Board" means the Wildlife Conservation Board.

(c) "Fund" means the Habitat Conservation Fund created by Section 2786.

(d) "Local agency" means a city, county, city and county, or a district as defined in subdivision (b) of Section 5902 of the Public Resources Code.

(e) "Riparian habitat" means lands which contain habitat which grows close to and which depends upon soil moisture from a nearby freshwater source.

(f) "Southern California" means the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura.

(g) "Wetlands" means lands which may be covered periodically or permanently with shallow water and which include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, fens, and vernal pools.

2786. Except as otherwise expressly provided in paragraph (3) of subdivision (a) of Section 2787, the money in the Habitat Conservation Fund, which is hereby created, shall be used for the following purposes:

(a) The acquisition of habitat, including native oak woodlands, necessary to protect deer and mountain lions.

(b) The acquisition of habitat to protect rare, endangered, threatened, or fully protected species.

(c) The acquisition of habitat to further implement the Habitat Conservation Program pursuant to Article 2 (commencing with Section 2721) excepting Section 2722 and subdivision (a) of Section 2723, and Sections 2724 and 2729.

(d) The acquisition, enhancement, or restoration of wetlands.

(e) The acquisition, restoration, or enhancement of aquatic habitat for spawning and rearing of anadromous salmonids and trout resources.

(f) The acquisition, restoration, or enhancement of riparian habitat.

2787. Notwithstanding Section 13340 of the Government Code, the money in the fund is continuously appropriated, without regard to fiscal years, as follows:

(a) To the Department of Parks and Recreation, four million five hundred thousand dollars ($4,500,000) annually for allocation as follows:

(1) One million five hundred thousand dollars ($1,500,000) for projects that are located in the Santa Lucia Mountain Range in Monterey County for expenditure by the Department of Parks and Recreation and for grants to the Monterey Peninsula Regional Park District.

(2) One million dollars ($1,000,000) for acquisitions in, and adjacent to, units of the state park system.

(3) Two million dollars ($2,000,000) for 50 percent matching grants to local agencies for projects meeting the purposes specified in Section 2786 and, additionally, for the acquisition of wildlife corridors and urban trails, nature interpretation programs, and other programs which bring urban residents into park and wildlife areas. The grants made pursuant to this subdivision are subject to the conditions of subdivision (d) of Section 5910, and Sections 5917 and 5919, of the Public Resources Code, as nearly as may be practicable.

(b) To the State Coastal Conservancy, four million dollars ($4,000,000) annually.

(c) To the Santa Monica Mountains Conservancy, five million dollars ($5,000,000) annually for the next 10 fiscal years, commencing with the 1990–91 fiscal year. The money shall be used for the purposes specified in Section 2786 for wildlife habitat, and for related open-space projects, within the Santa Monica Mountains Zone, the Rim of the Valley Corridor, and the Santa Clarita Woodlands. Of the total amount appropriated pursuant to this subdivision, not less than a total of ten million dollars ($10,000,000) shall be spent within the Santa Susana Mountains and the Simi Hills, and not less than a total of ten million dollars ($10,000,000) shall be spent within the Santa Clarita Woodlands These funds shall be expended in accordance with Division 23 (commencing with Section 33000) of the Public Resources Code during the operative period of this section as specified in subdivision (f) and in Section 2797. The Legislature may, by statute, extend the period for expenditure of the funds provided by this paragraph

(d) To the California Tahoe Conservancy, five hundred thousand dollars ($500,000) annually.

(e) To the board, the balance of the fund

(f) This section shall become operative on July 1, 1990, and, as of July 1, 2020, is repealed, unless a later enacted statute, which becomes effective on or before July 1, 2020, deletes or extends that date.

2788. Notwithstanding Section 13340 of the Government Code, the money in the fund is continuously appropriated, without regard to fiscal years, to the board.

This section shall become operative only if, and on the date that, Section 2787 is repealed.

2789. In areas where habitats are or may become isolated or fragmented, preference shall be given by the agencies expending money from the fund to projects which will serve as corridors linking otherwise separated habitat so that the genetic integrity of wildlife populations will be maintained.

2790. Each agency receiving money from the fund pursuant to Section 2787 shall report to the board on or before July 1 of each year the amount of money that was expended and the purposes for which the money was expended. The board shall prescribe the information in the agencies reports that it determines is necessary to carry out the requirements of Section 2791.

2791. The board shall expend the money appropriated to it from the fund subject to the following conditions:

(a) Not more than one and one-half (1-½) percent shall be expended for administration of this chapter.

(b) The board shall, to the extent practicable, expend the money in a manner and for projects so that, within each 24-month period, approximately one-third of the total expenditures of the money in the fund, including, until July 1, 2020, the expenditures by the agencies receiving money from the fund pursuant to subdivisions (a) to (d), inclusive, of Section 2787, are expended for the purposes specified in subdivision (a) of Section 2786 and approximately two-thirds of the total expenditures of the money in the fund, including, until July 1, 2020, the expenditures by the agencies receiving money from the fund pursuant to subdivisions (a) to (d), inclusive, of Section 2787, are expended for the purposes specified in subdivisions (b) and (c) of Section 2786.

(c) Notwithstanding the requirement for acquisition in subdivisions (a), (b), and (c) of Section 2786, the board shall, to the extent practicable, expend the money in the fund in a manner and for projects so that, within each 24-month period, approximately six million dollars ($6,000,000) of the money, including, until July 1, 2020, the expenditures by the agencies receiving money from the fund pursuant to subdivisions (a) to (d), inclusive, of Section 2787, are expended for the purposes specified in subdivision (d) of Section 2786.

(d) Notwithstanding the requirement for acquisition in subdivisions (a), (b), and (c) of Section 2786, the board shall, to the extent practicable, expend the money in the fund in a manner and for projects so that, within each 24-month period, approximately six million dollars ($6,000,000) of the money, including, until July 1, 2020, the expenditures by the agencies receiving money from the fund pursuant to subdivisions (a) to (d), inclusive, of Section 2787, are expended for the purposes specified in subdivision (e) and (f) of Section 2786.

(e) To the extent practicable, the board shall expend the money appropriated to it from the fund in a manner and for projects so that, within each 24-month period, approximately one-half of the total expenditures of the money in the fund, including, until July 1, 2020, the expenditures by the agencies receiving money from the fund pursuant to subdivisions (a) to (d), inclusive, of Section 2787, are expended in northern California and approximately one-half in southern California.

(f) Subject to the other requirements of this section, the board may allocate not more than two million dollars ($2,000,000) annually for the purposes of this chapter to one or more State agencies created by the Legislature or the people which are authorized by other provisions of law to expend funds for the purposes of this chapter.

2792. If any agency designated in Section 2787 ceases to exist, or is otherwise unable to expend the funds appropriated by Section 2787 to that agency for the period specified, the board or its successor agency shall expend the same funds for the same purpose.

2793. The board and any other state or local agency that expends any funds appropriated from the fund on environmental enhancement, restoration, or improvement projects shall utilize the services of the California Conservation Corps and local community conservation corps to the extent practicable

2794. In implementing this chapter, the state or local agency that manages lands acquired with funds appropriated from the fund shall prepare, with full public participation, a management plan for lands that have been acquired, which plan shall reasonably reduce possible conflicts with neighboring land use and landowners, including agriculturists. The plans shall comply with the California Environmental Quality Act (Division 21 (commencing with Section 21000) of the Public Resources Code)

2795. (a) The Controller shall annually transfer 10 percent of the funds in the Unallocated Account in the Cigarette and Tobacco Products Surtax Fund to the Habitat Conservation Fund.

(b) No additional allocation of funds from that account shall be made by the Legislature for purposes of this chapter or for any other natural resource or environmental protection program.

2796. (a) The Controller shall annually transfer the sum of thirty million dollars ($30,000,000) from the General Fund to the Habitat Conservation Fund, less any amount transferred to the Habitat Conservation Fund from, but not limited to, the following accounts and funds:

(1) The Public Resources Account in the Cigarette and Tobacco Products Surtax Fund to the extent authorized by the Tobacco Tax and Health Protection Act of 1988.

(2) The Unallocated Account in the Cigarette and Tobacco Products Surtax Fund pursuant to subdivision (a) of Section 2795.

(3) The California Environmental License Plate Fund.

(4) The Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account in the Fish and Game Preservation Fund.

(5) Any other non-General Fund accounts and funds created by the Legislature or the people for purposes which are consistent with the purposes of this act

(6) Any bond funds which are authorized by the people after July 1, 1990, which may be used for purposes which are identical to the purposes specified in Section 2786.

(7) The Wildlife Restoration Fund.

(b) Except for transfers from the Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account, transfers from the Fish and Game Preservation Fund are not transfers for purposes of subdivision (a) and shall not be made to the fund. Transfers of federal, local, or privately donated funds or transfers from the State Coastal Conservancy Fund pursuant to Section 31011 of the Public Resources Code to the fund are not transfers for purposes of subdivision (a).

(c) This section does not limit the amount of funds which may be transferred to the fund or which may be expended for fish and wildlife habitat protection either from the fund or from any other sources.

(d) This section shall become operative on July 1, 1990, shall become inoperative on June 30, 2020, and, as of January 1, 2021, is repealed, unless a later enacted

statute, which becomes effective before January 1, 2021, deletes or extends the dates on which it becomes inoperative and is repealed.

2797. (a) The people find it necessary to acquire, restore, and improve the rapidly disappearing wildlife habitat of southern California in the quickest and most efficient manner possible using existing governmental resources. Therefore, notwithstanding Section 33216 of the Public Resources Code, Division 23 (commencing with Section 33000) of the Public Resources Code shall continue in effect for the period that funds may be expended pursuant to subdivision (c) of Section 2787.

This subdivision shall not become operative if, prior to June 6, 1990, Section 33216 of the Public Resources Code has been amended to extend the operative effect of that Division 23 to at least July 1, 1995.

(b) If subdivision (a) of this section does not become operative, the controller shall increase the annual transfer of funds pursuant to subdivision (c) of Section 2787 on a pro rata basis so that the total amount available to the Santa Monica Mountains Conservancy for purposes of this chapter pursuant to that subdivision (c) is fifty million dollars ($50,000,000). Nothing in this section precludes the Legislature from extending the time for expenditure of funds pursuant to subdivision (c) of Section 2787.

2798. Acquisitions of real property made pursuant to this chapter shall be done in compliance with the land acquisition law as existing or as hereafter amended and as it applies to the agencies designated in Section 2787, and in compliance with subdivision (a) of Section 5929 of the Public Resources Code

2799. Every expenditure made pursuant to this chapter shall comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

2799.5. Reasonable public access to lands acquired in fee with funds made available pursuant to this chapter shall be provided except when that access may interfere with habitat protection.

2799.6 Only those amounts of money which are transferred to the fund from the General Fund pursuant to Section 2796 may be reappropriated for purposes of this chapter by a two-thirds vote of the Legislature.

SEC. 3. Section 3950.1 is added to the Fish and Game Code, to read:

3950.1. (a) Notwithstanding Section 3950 or any other provision of this code, the mountain lion (genus Felis) shall not be listed as, or considered to be, a game mammal by the department or the commission.

(b) Section 219 does not apply to this section Neither the commission nor the department shall adopt any regulation that conflicts with or supersedes this section

SEC. 4. Section 4189 of the Fish and Game Code is repealed.

~~4189. Any owner or tenant, or the agent of the owner or tenant, of land or property that is being damaged or destroyed or is in immediate danger of being damaged or destroyed by mountain lions may take those mountain lions at any time and in any manner except by means of poison or traps. The taking of the mountain lion shall be reported in writing within 30 days to the Department of Fish and Game headquarters office in Sacramento.~~

~~This section shall become operative on January 1, 1986.~~

SEC. 5. Chapter 10 (commencing with Section 4800) of Part 3 of Division 4 of the Fish and Game Code is repealed.

~~CHAPTER 10. MOUNTAIN LIONS~~

~~4800. It is unlawful to take any mountain lion, except as provided in Section 4180, without first procuring a license tag authorizing the taking of such mountain lion.~~

~~4801. Any person 12 years of age or over who possesses a valid hunting license may, upon payment of one dollar ($1), procure the number of mountain lion license tags corresponding to the number of mountain lion that may legally be taken by one person during the current license year.~~

~~4802. Mountain lion license tags are valid only during that portion of the current hunting license year in which mountain lion may be taken or possessed in any district.~~

~~4803. The holder of a mountain lion license tag shall carry the tag while hunting mountain lion, and upon the killing of any mountain lion shall immediately fill out both parts of the tag and punch out clearly the date of the kill. One part of the tag shall be immediately attached to the ear of the mountain lion and kept attached during the open season and for 15 days thereafter. The other part of the tag shall be immediately sent to the department. Possession of any untagged mountain lion shall be a violation of this section.~~

~~4804. (a) Any person who is convicted of a violation of any provision of this code, or of any rule, regulation, or order made or adopted under this code, relating to mountain lions shall forfeit his or her mountain lion license tags, and new mountain lion license tags shall not be issued to that person during the then current license year for hunting licenses.~~

~~(b) A person described in subdivision (a) shall not apply for mountain lion license tags for the following license year.~~

~~4805. Any person legally killing a mountain lion in this state shall have the license tag countersigned by a fish and game commissioner, a person employed in the department, a person designated for this purpose by the commission, or by a justice of the peace, notary public, postmaster, peace officer or by an officer authorized to administer oaths, before transporting such mountain lion except for the purpose of taking it to the nearest officer authorized to countersign the license tag, on the route being followed from the point where the mountain lion is taken.~~

~~4806. The provisions of this chapter do not apply to the taking of mountain lion which is otherwise authorized to protect livestock, land, or property from damage or threatened damage from mountain lion.~~

~~4807. The department shall make an annual report to the Legislature on the number of mountain lions taken per license year.~~

~~4808. This chapter shall become operative on January 1, 1986.~~

SEC. 6. Chapter 10 (commencing with Section 4800) is added to Part 3 of Division 4 of the Fish and Game Code, to read.

CHAPTER 10. MOUNTAIN LIONS

4800. (a) The mountain lion (genus Felis) is a specially protected mammal under the laws of this state.

(b) It is unlawful to take, injure, possess, transport, import, or sell any mountain lion or any part or product thereof, except as specifically provided in this chapter or in Chapter 2 (commencing with Section 2116) of Division 3. This chapter does not prohibit the sale or possession of any mountain lion or any part or product thereof, when the owner can demonstrate that the mountain lion, part or product thereof, was in the person's possession on June 6, 1990

(c) Any violation of this section is a misdemeanor punishable by imprisonment in the county jail for not more than one year, or a fine of not more than ten thousand dollars ($10,000), or by both that fine and imprisonment. An individual is not guilty of a violation of this section if it is demonstrated that, in taking or injuring a mountain lion, the individual was acting in self-defense or in defense of others.

(d) Section 219 does not apply to this chapter. Neither the commission nor the department shall adopt any regulation that conflicts with or supersedes any of the provisions of this chapter.

4801. The department may remove or take any mountain lion, or authorize an appropriate local agency with public safety responsibility to remove or take any mountain lion, that is perceived to be an imminent threat to public health or safety.

4802. Any person, or the employee or agent of a person, whose livestock or other property is being or has been injured, damaged, or destroyed by a mountain lion may report that fact to the department and request a permit to take the mountain lion.

4803. Upon receipt of a report pursuant to Section 4802, the department, or any animal damage control officer specifically authorized by the department to carry out this responsibility, shall immediately take the action necessary to confirm that there has been depredation by a mountain lion as reported. The confirmation process shall be completed as quickly as possible, but in no event more than 48 hours after receiving the report If satisfied that there has been depredation by a mountain lion as reported, the department shall promptly issue a permit to take the depredating mountain lion

4804. In order to ensure that only the depredating mountain lion will be taken, the department shall issue the permit pursuant to Section 4803 with the following conditions attached:

(a) The permit shall expire 10 days after issuance.

(b) The permit shall authorize the holder to begin pursuit not more than one mile from the depredation site.

(c) The permit shall limit the pursuit of the depredating mountain lion to within a 10-mile radius from the location of the reported damage or destruction.

4805. Whenever immediate authorization will materially assist in the pursuit of the particular mountain lion believed to be responsible for the depredation reported pursuant to Section 4802, the department or the animal damage control officer may orally authorize the pursuit and taking of the depredating mountain lion, and the department shall issue a written permit for the period previously authorized as soon as practicable after the oral authorization.

4806. Any person issued a permit pursuant to Section 4803 or 4805 shall report, by telephone within 24 hours, the capturing, injuring, or killing of any mountain lion to an office of the department or, if telephoning is not practicable, in writing within five days after the capturing, injuring, or killing of the mountain lion. At the time of making the report of the capturing, injuring, or killing, the holder of the permit shall make arrangements to turn over the mountain lion or the entire carcass of the mountain lion which has been recovered to a representative of the department and shall do so in a timely manner.

4807. (a) Any mountain lion that is encountered while in the act of pursuing, inflicting injury to, or killing livestock, or domestic animals, may be taken immediately by the owner of the property or the owner's employee or agent. The taking shall be reported within 72 hours to the department. The department shall investigate the depredation, and, if the mountain lion was captured, injured, or killed, the mountain lion or the entire carcass of the mountain lion which has been recovered shall be turned over to the department. Upon satisfactorily completing the investigation and receiving the mountain lion or the carcass, if recovered, the department shall issue a permit confirming that the requirements of this section have been met with respect to the particular mountain lion taken under these circumstances.

(b) The department shall undertake a complete necropsy on any returned mountain lion carcass and report the findings to the commission. The commission shall compile the reported findings and prepare an annual written report that shall be submitted to the Legislature not later than the January 15 next following the year in which the mountain lion was taken.

4808. As used in this chapter, "agent" means the agent or employee of the owner of the damaged or destroyed property, any county or city predator control officer, any employee of the Animal Damage Control Section of the United States Department of Agriculture, any departmental personnel, or any authorized or permitted houndsman registered with the department as possessing the requisite experience and having no prior conviction of any provision of this code or regulation adopted pursuant to this code. A plea of nolo contendere is a conviction for purposes of this section.

4809. Mountain lions authorized to be taken pursuant to this chapter shall be taken by the most effective means available to take the mountain lion causing the damage or destruction, except that no mountain lion shall be taken by means of poison, leg-hold or metal-jawed traps, and snares.

SEC. 7. If any provision of this act or the application thereof to any person or circumstances is held invalid, that 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. Except amendments of subdivisions (c) and (f) of Section 2787 and subdivision (d) of Section 2796 of the Fish and Game Code to extend the operative effect of those sections, which may be enacted by statute enacted by the Legislature, this act shall be amended only by a statute approved by a vote of four-fifths of the members of both houses of the Legislature. Any amendment of this act shall be consistent with, and further the purposes of, this act, except the Legislature shall not reallocate the funds allocated by Sections 2787 and 2788 of the Fish and Game Code, change the expenditure requirements of Section 2791 of the Fish and Game Code, or change the transfers of funds required by Sections 2795 and 2796 of the Fish and Game Code.

SEC. 9. This act shall be liberally construed to further its purposes.

BOND ACTS SUBMITTED BY LEGISLATURE

Number on ballot

107. **Housing and Homeless Bond Act of 1990.** (Statutes 1988, Chapter 48, SB 1693)

[Approved by electors June 5, 1990.]

PROPOSED LAW

SEC. 2. Part 10 (commencing with Section 53180) is added to Division 31 of the Health and Safety Code, to read:

PART 10. HOUSING AND HOMELESS BOND ACT OF 1990

CHAPTER 1. GENERAL PROVISIONS

53180. This part shall be known and may be cited as the Housing and Homeless Bond Act of 1990.

53181. As used in this part, the following terms have the following meanings:

(a) "Committee" means the Housing Committee created pursuant to Section 53202.

(b) "Fund" means the Home Building and Rehabilitation Fund created pursuant to Section 53190.

CHAPTER 2. HOME BUILDING AND REHABILITATION FUND

53190. The proceeds of bonds issued and sold pursuant to this part shall be deposited in the Home Building and Rehabilitation Fund. Moneys in the fund shall be allocated and utilized in accordance with Part 8 (commencing with Section 53130), as added by Senate Bill 1692 of the 1987–88 Regular Session.

CHAPTER 3. FISCAL PROVISIONS

53200. Bonds in the total amount of one hundred fifty million dollars ($150,000,000), exclusive of refunding bonds issued pursuant to Section 53201, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this part and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

53201. Any bonds issued and sold pursuant to this chapter may be refunded by the issuance of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 2 of Title 2 of the Government Code. Approval by the electors of the state for the issuance of these bonds shall include the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

53202. The bonds authorized by this part shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this part and are hereby incorporated in this part as though set forth in full in this part.

53203. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by

this part, the Housing Committee is hereby created. For purposes of this part, the Housing Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Controller, the Treasurer, the Director of Finance, the Director of the Department of Housing and Community Development, and the Executive Director of the California Housing Finance Agency, or their designated representatives. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Department of Housing and Community Development is designated as the "board" for programs administered by the department and the California Housing Finance Agency is designated as the "board" for programs administered by the agency.

53204. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this part in order to carry out the actions specified in Part 8 (commencing with Section 53130) as added by Senate Bill 1692 of the 1987–88 Regular Session, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

53205. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds maturing each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum

53206. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this part, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this part, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 53207, appropriated without regard to fiscal years.

53207 For the purposes of carrying out this part, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized to be sold for the purpose of carrying out this part. Any amounts withdrawn shall be deposited in the fund Any money made available under this section shall be returned to the General Fund, plus interest that the amounts would have earned in the Pooled Money Investment Account, from money received from the sale of bonds for the purpose of carrying out this part.

53208. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out the provisions of this chapter. The amount of the request shall not exceed the amount of unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter The board shall execute such documents as are required by the Pooled Money Investment Board to obtain and repay the loan Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

53209. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this part are not "proceeds of

taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

Number on ballot

108. **Passenger Rail and Clean Air Bond Act of 1990.** (Statutes 1989, Chapter 108, AB 973)

[Approved by electors June 5, 1990]

PROPOSED LAW

SEC. 2. Chapter 17 (commencing with Section 2701) is added to Division 3 of the Streets and Highways Code, to read:

CHAPTER 17. PASSENGER RAIL AND CLEAN AIR BOND ACT OF 1990

Article 1. General Provisions

2701. This chapter shall be known and may be cited as the Passenger Rail and Clean Air Bond Act of 1990.

2701 01. As used in this chapter, the following terms have the following meanings:

(a) "Committee" means the Passenger Rail Finance Committee created pursuant to Section 2701.12.

(b) "Department" means the Department of Transportation

(c) "Fund" means the Passenger Rail Bond Fund created pursuant to Section 2701 05.

2701.02. The Legislature has provided that, in addition to the one billion dollars ($1,000,000,000) authorized pursuant to this chapter, the Passenger Rail and Clean Air Bond Act of 1992 will be submitted for voter approval for the issuance of additional bonds of one billion dollars ($1,000,000,000) in 1992 and the Passenger Rail and Clean Air Bond Act of 1994 will be submitted for voter approval for the issuance of additional bonds of one billion dollars ($1,000,000,000) in 1994, for a total of three billion dollars ($3,000,000,000).

Article 2. Transportation Improvement Program

2701.05. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Passenger Rail Bond Fund, which is hereby created.

2701 06 The money in the fund, upon appropriation by the Legislature, shall be available, without regard to fiscal years, for acquisition of rights-of-way, capital expenditures, and acquisition of rolling stock for intercity rail, commuter rail, and urban rail transit and for capital improvements which directly support rail transportation, including exclusive busways which are converted within 10 years after completion of construction into rail lines, grade separations to enhance rail passenger service, and multimodal terminals.

2701.07. The appropriations for capital improvements and acquisition of rolling stock for intercity rail, commuter rail, and urban rail transit shall be used only on the following routes and corridors and those specified by statutes enacted by the Legislature.

(a) Intercity Rail.

(1) Los Angeles-San Diego

(2) Santa Barbara County-Los Angeles.

(3) Los Angeles-Fresno-San Francisco Bay area and Sacramento.

(4) San Francisco Bay area-Sacramento-Auburn.
(5) San Francisco-Eureka.
(b) Commuter Rail.
(1) San Francisco-San Jose.
(2) San Jose-Gilroy.
(3) Gilroy-Monterey.
(4) Stockton-Livermore.
(5) Orange County-Los Angeles.
(6) Riverside County-Orange County.
(7) San Bernardino County-Los Angeles.
(8) Ventura County-San Fernando Valley-Los Angeles.
(9) Saugus-Los Angeles.
(10) Oceanside-San Diego.
(11) Escondido-Oceanside.
(c) Urban Rail Transit.
(1) Sacramento.
(A) Roseville extension.
(B) Hazel extension.
(C) Meadowview extension.
(D) Arena extension.
(2) San Francisco Bay Area Rapid Transit District.
(A) Bayfair-East Livermore.
(B) Concord-East Antioch.
(C) Fremont-Warm Springs.
(D) Daily City-San Francisco International Airport.
(E) Coliseum-Oakland International Airport.
(F) Richmond-Crockett.
(G) Warm Springs-San Jose.
(3) Alameda and Contra Costa Counties.
(A) Pleasanton-Concord.
(4) Santa Clara County.
(A) Sunnyvale-Santa Clara.
(B) San Jose-Vasona.
(C) State Highway Route 237.
(5) San Francisco City and County.
(A) Extensions, improvements, and additions to the San Francisco Municipal Railway.
(6) San Francisco-Santa Rosa-Sonoma.
(7) Santa Cruz County.
(A) Boardwalk area-University of California at Santa Cruz.
(8) Los Angeles Metro Rail.
(A) Wilshire/Alvarado-Wilshire/Western.
(B) Wilshire/Alvarado-Lankershim/Chandler.
(C) San Fernando Valley extension.
(D) Union Station-State Highway Routes 5 and 710.
(E) Wilshire/Western-Wilshire/State Highway Route 405.
(9) Los Angeles County Rail Corridors.
(A) San Fernando Valley.
(B) Pasadena-Los Angeles.
(C) Coastal Corridor (Torrance to Santa Monica).
(D) Santa Monica-Los Angeles.

(E) State Highway Route 5.
(F) State Highway Route 110.
(10) San Diego County.
(A) El Cajon-Santee.
(B) Downtown-Old Town.
(C) Airport-Point Loma.
(D) Old Town-Mission Valley.
(E) Mission Valley-La Mesa.
(F) La Jolla-Miramar.
(G) Old Town-Del Mar.
(H) Downtown-Escondido.
(I) Chula Vista-Otay Mesa.

2701.08 At least 15 percent of the money in the fund shall be used for intercity rail purposes and shall be equitably expended on intercity rail corridors based on the relative population served by each corridor.

Article 3. Fiscal Provisions

2701.10. Bonds in the total amount of one billion dollars ($1,000,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable

2701 11. (a) Except as provided in subdivision (b), the bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

(b) Notwithstanding any provision of the State General Obligation Bond Law, each issue of bonds authorized by the committee shall have a final maturity of not more than 20 years.

2701.12. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Passenger Rail Finance Committee is hereby created For purposes of this chapter, the Passenger Rail Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Treasurer, the Director of Finance, the Controller, the Secretary of the Business, Transportation and Housing Agency, and the Director of Transportation, or their designated representatives. The Treasurer shall serve as chairperson of the committee A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the department is designated the "board."

2701.13. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 2701.06 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be issued and sold to carry out those actions progressively, and it is not necessary that all of the bonds

authorized be issued and sold at any one time. The committee shall consider program funding needs, revenue projections, financial market conditions, and other necessary factors in determining the shortest feasible term for the bonds to be issued.

2701.14. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

2701.15. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount equal to that sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

2701.16. (a) Money may be transferred from the fund to the State Transportation Fund to reimburse the Transportation Planning and Development Account and the State Highway Account for expenditures made from those accounts, on and after June 6, 1990, for capital improvements and acquisitions of rolling stock for intercity rail, commuter rail, and urban rail transit in accordance with Chapter 2 (commencing with Section 14520) of Part 5.3 of Division 3 of Title 2 of the Government Code, as specified in Section 2701.06

(b) The amount that may be transferred pursuant to subdivision (a) shall not exceed the amount expended from those accounts for those capital improvements and acquisitions of rolling stock.

2701 17. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for purposes of this chapter. The amount of the request shall not exceed the amount of the unsold bonds which the committee has, by resolution, authorized to be sold for the purpose of this chapter, less any amount borrowed pursuant to Section 2701.18. The board shall execute such documents as required by the Pooled Money Investment Board to obtain and repay the loan. Any amount loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

2701.18. For the purpose of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter, less any amount borrowed pursuant to Section 2701 17 Any amount withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from the sale of bonds for the purpose of carrying out this chapter.

2701.19. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

2701.20 The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of the State General Obligation Bond Law

2701.21. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of

taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

2701.22. Notwithstanding any provision of the State General Obligation Bond Law with regard to the proceeds from the sale of bonds authorized by this chapter that are subject to investment under Article 4 (commencing with Section 16470) of Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, the Treasurer may maintain a separate account for investment earnings, order the payment of those earnings to comply with any rebate requirement applicable under federal law, and may otherwise direct the use and investment of those proceeds so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

2701.23. Notwithstanding Section 2701.10, bonds may not be issued under this chapter if Senate Constitutional Amendment 1 of the 1989–90 Regular Session is not submitted to, and approved by, the voters at the June 5, 1990, direct primary election.

Number on ballot

120. **New Prison Construction Bond Act of 1990.** (Statutes 1990, Chapter 5, SB 842)

[Approved by electors June 5, 1990]

PROPOSED LAW

SECTION 1. Chapter 16 (commencing with Section 7420) is added to Title 7 of Part 3 of the Penal Code, to read:

CHAPTER 16. NEW PRISON CONSTRUCTION BOND ACT OF 1990

7420. This chapter shall be known and may be cited as the New Prison Construction Bond Act of 1990

7421 The State General Obligation Bond Law is adopted for the purpose of the issuance, sale and repayment of, and otherwise providing with respect to, the bonds authorized to be issued by this chapter, and the provisions of that law are included in this chapter as though set out in full in this chapter except that, notwithstanding anything in the State General Obligation Bond Law, the maximum maturity of the bonds shall not exceed 20 years from the date of each respective series. The maturity of each respective series shall be calculated from the date of that series.

7422. There is in the State Treasury the 1990 Prison Construction Fund, which fund is hereby created. The proceeds of the sale of bonds authorized by this chapter shall be deposited in the fund. Upon request of the Department of Corrections and upon approval of the Director of Finance, appropriations or augmentations to appropriations made from the 1984 Prison Construction Fund established by Section 7202, the 1986 Prison Construction Fund established by Section 7302, or the 1988 Prison Construction Fund established by Section 7402, or any combination thereof, may be funded from the 1990 Prison Construction Fund. If the moneys are so funded, "fund" means the 1984 Prison Construction Fund, the 1986 Prison Construction Fund, or the 1988 Prison Construction Fund, or any combination thereof, as is appropriate. At least 30 days prior to requesting funding for appropriations or augmentations to appropriations for other bond acts as authorized by this section, the Department of Corrections shall notify the

chairpersons of the fiscal committees in each house of the Legislature, and the chairperson and the vice chairperson of the Joint Legislative Budget Committee

7423. The 1990 Prison Construction Committee is hereby created. The committee shall consist of the Controller, the Treasurer, and the Director of Finance, or their designated representatives. A majority may act for the committee. The Treasurer shall chair the committee That committee shall be the "committee," as that term is used in the State General Obligation Bond Law.

When funds are appropriated to the Department of Corrections, the Department of Corrections is the "board" for the purpose of the State General Obligation Bond Law and this chapter. When funds are appropriated to the Department of Youth Authority, the Department of Youth Authority is the "board" for the purpose of the State General Obligation Bond Law and this chapter.

7424. The committee is hereby authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the aggregate principal amount of four hundred fifty million dollars ($450,000,000), exclusive of refunding bonds, in the manner provided in this chapter That debt or debts, liability or liabilities, shall be created for the purpose of providing the fund to be used for the object and work specified in Section 7426.

7425 The committee may determine whether or not it is necessary or desirable to issue any bonds authorized under this chapter, and if so, the amount of bonds then to be issued and sold. The committee may authorize the Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the Treasurer.

7426. The moneys in the fund shall be used for the acquisition, construction, renovation, remodeling, and deferred maintenance of state youth and adult correctional facilities.

7426.5. Moneys deposited in the fund may also be used for the refinancing of interim debt incurred for any of the purposes specified in Section 7426

7427. (a) All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal thereof and interest thereon.

(b) There shall be collected annually in the same manner and at the same time as other state revenue is collected that sum, in addition to the ordinary revenues of the state, that is required to pay the principal of and interest on those bonds, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of that revenue to do and perform each and every act which shall be necessary to collect that additional sum.

(c) All money deposited in the fund that has been derived from premiums or accrued interest on bonds sold shall be available for transfer to the General Fund as a credit to expenditures for bond interest

(d) All money deposited in the fund pursuant to any provision of law requiring repayments to the state that is financed by the proceeds of the bonds authorized by this chapter shall be available for transfer to the General Fund. When transferred to the General Fund that money shall be applied as a reimbursement to the General Fund on account of the principal of and interest on the bonds which have been paid from the General Fund.

7428. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury for the purpose of this chapter such an amount as will equal the following:

(a) That sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to this chapter.

(b) That sum as is necessary to carry out the provisions of Section 7429, which sum is appropriated without regard to fiscal years.

7429. For the purpose of carrying out this chapter, the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund and shall be disbursed by the committee in accordance with this chapter. Any money made available under this section to the board shall be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this chapter. Those withdrawals from the General Fund shall be returned to the General Fund with interest at the rate which would otherwise have been earned by those sums in the Pooled Money Investment Account.

7430 The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out the provisions of this chapter. The amount of the request shall not exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter The board shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

7431 Any bonds issued and sold pursuant to this chapter may be refunded by the issuance of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 2 of Title 2 of the Government Code. Approval by the electors of the state for the issuance of bonds shall include the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

7432. All proceeds from the sale of bonds, except those derived from premiums and accrued interest, shall be available for the purpose provided in Section 7426 but shall not be available for transfer to the General Fund to pay the principal of and interest on bonds. The money in the fund may be expended only as herein provided.

Notwithstanding any provision of this chapter or the State General Obligation Bond Law set forth in Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, if the Treasurer sells bonds pursuant to this chapter the interest on which is intended to be excluded from gross income from federal tax purposes, the Treasurer is authorized to maintain separate accounts for the investment of bond proceeds and the investment earnings on the proceeds, and the Treasurer is authorized to use or direct the use of the proceeds or earnings to pay any rebate, penalty, or other payment required under federal law, or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

7433. Money in the fund may only be expended pursuant to appropriations by the Legislature. The Department of Corrections and the Department of the Youth Authority, annually on or before January 10, shall submit their respective five-year facility master plans to the Legislature. Each plan shall include a program of proposed expenditures from the 1990 Prison Construction Fund.

7434. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

Number on ballot

121. **Higher Education Facilities Bond Act of June 1990.** (Statutes 1990, Chapter 6, SB 147)

[Approved by electors June 5, 1990.]

PROPOSED LAW

SECTION 1. Chapter 14.4 (commencing with Section 67345) is added to Part 40 of the Education Code, to read:

CHAPTER 14.4. HIGHER EDUCATION FACILITIES BOND ACT OF JUNE 1990

Article 1. General Provisions

67345. This chapter shall be known and may be cited as the Higher Education Facilities Bond Act of June 1990.

67345.1. The Legislature finds and declares all of the following:

(a) California's economic and social prosperity relies on a higher education system that keeps pace with California's growth. In the coming decades, the state's economic prosperity will depend on increasing the productivity of the work force and on the ability to compete successfully in the world marketplace.

(b) The system of public higher education in this state includes the University of California, the California State University, the California Community Colleges, and the California Maritime Academy. Each of these institutions plays a vital role in maintaining California's dominance in higher education in the United States.

(c) Over the last several years, studies have been completed by the University of California, the California State University, and the California Community Colleges to assess their long-term and short-term capital needs. Those studies demonstrate that the long-term and short-term needs total, in the aggregate, several billion dollars.

(d) The purpose of the Higher Education Facilities Bond Act of June 1990 is to assist in meeting the capital outlay financing needs of California's public higher education system.

67345.2. As used in this chapter, the following terms have the following meanings.

(a) "Committee" means the Higher Education Facilities Finance Committee created pursuant to Section 67353.

(b) "Fund" means the June 1990 Higher Education Capital Outlay Bond Fund created pursuant to Section 67346.

Article 2. Higher Education Facilities Bond Act Program

67346. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the June 1990 Higher Education Capital Outlay Bond Fund, which is hereby created.

67346.5. (a) The committee shall be and is hereby authorized to create a debt or debts, liability or liabilities, of the State of California pursuant to this chapter for the purpose of funding aid to the University of California, the California State University, the California Community Colleges, and the Hastings College of the Law, and the California Maritime Academy for the construction, including the construction of buildings and the acquisition of related fixtures, the construction or improvement of off-campus facilities of the California State University approved by the Trustees of the California State University on or before July 1, 1990, renovation, and reconstruction of facilities, for the acquisition of sites upon which these facilities are to be constructed, and for the equipping of new, renovated, or reconstructed facilities, and to provide funds for payment of preconstruction costs, including, but not limited to, preliminary plans and working drawings. The addition of the Hastings College of the Law to this section is not intended to mark a change from the funding authorizations made by Section 67354, as contained in the Higher Education Facilities Bond Act of 1986, or Section 67334, as contained in the Higher Education Facilities Bond Act of 1988, but is intended to more clearly state what was intended by the Legislature in those sections as well.

(b) Moneys made available under Section 67347.5 or 67347.7 may be used to provide short-term loans to community colleges for the purchase of instructional equipment. Those loans shall be repaid from the first moneys available in the Capital Outlay Fund for Public Higher Education beginning in the 1990–91 fiscal year, or from proceeds of the bonds

Article 3. Fiscal Provisions

67347. (a) Bonds in the total amount of four hundred fifty million dollars ($450,000,000), not including the amount of any refunding bonds issued in accordance with Section 67347.8, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) Pursuant to this section, the Treasurer shall sell the bonds authorized by the committee at any different times necessary to service expenditures required by the apportionments.

67347.1. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter. For purposes of the State General Obligation Bond Law, except as specified in Section 67347.7, each state agency administering an appropriation of the bond fund is designated the "board" for the projects funded by those appropriations.

67347.2. The committee shall authorize the issuance of bonds under this chapter only to the extent necessary to fund the apportionments that are expressly authorized by the Legislature in the annual Budget Act. Pursuant to that legislative direction, the committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 67346.5 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

67347.3. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

67347.4. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 67347.5, appropriated without regard to fiscal years.

67347.5. For the purposes of carrying out this chapter, the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, together with interest at the rate paid on moneys in the Pooled Money Investment Account, from money received from the sale of bonds for the purpose of carrying out this chapter.

67347.6. All money deposited in the fund that is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

67347.7. The board may request the Pooled Money Investment Board for a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, and may execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. The loan shall be deposited in the fund for the purpose of carrying out the provisions of this chapter. The amount of the loan shall not exceed the amount of the unsold bonds that the committee, by resolution, has authorized to be sold for the purposes of this chapter.

For the purposes of requesting Pooled Money Investment Board loans in accordance with this section, "board" means: the President of the University of California, the Dean of the Hastings College of the Law, the Chancellor of the California State University, the President of the California Maritime Academy, and the Chancellor of the California Community Colleges, each acting independently on his or her own behalf.

67347.8. Any bonds issued and sold pursuant to this chapter may be refunded by the issuance and sale or exchange of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code. The approval by the electors of this state of the issuance and sale of bonds under this chapter includes approval of the issuance and sale or exchange of any bonds issued to refund either those bonds or any previously issued refunding bonds.

67347.9. Notwithstanding any provision of this chapter or the State General Obligation Bond Law set forth in Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, if the Treasurer sells bonds pursuant to this chapter the interest on which is intended to be excluded from gross income for federal tax purposes, the Treasurer shall be authorized to maintain separate accounts for the investment of bond proceeds and the investment earnings on these proceeds, and the Treasurer shall be authorized to use or direct the use of these proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

Number on ballot

122. **Earthquake Safety and Public Buildings Rehabilitation Bond Act of 1990.** (Statutes 1990, Chapter 23, SB 1250)

[Approved by electors June 5, 1990]

PROPOSED LAW

SEC. 2. Chapter 12.47 (commencing with Section 8878.50) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 12.47. EARTHQUAKE SAFETY AND PUBLIC BUILDINGS REHABILITATION BOND ACT OF 1990

Article 1 General Provisions

8878.50 This chapter shall be known and may be cited as the Earthquake Safety and Public Buildings Rehabilitation Bond Act of 1990.

8878.51 The Legislature finds and declares all of the following:

(a) California is likely to experience moderate to severe earthquakes in the foreseeable future, and increased efforts to reduce earthquake hazards should be encouraged and supported.

(b) Hundreds of state and local government buildings which are vulnerable to severe earthquake damage continue to be a serious danger to the lives of thousands of state and local government employees and the people who must visit and depend on these buildings in which vital services are often provided.

(c) The Loma Prieta Earthquake of October 17, 1989, caused damage to state-owned buildings resulting in relocations of state government operations into more expensive leased facilities and some state buildings are now vacant. These facilities should be rehabilitated or replaced in order to reduce the long-term costs of providing state government services.

(d) It is the responsibility of state and local governments to provide, to the greatest extent feasible, their employees and the public throughout the state with

buildings that are safe, accessible, and able to withstand earthquake forces without endangering occupants or significantly disrupting the performance of essential services.

(e) Therefore, the purposes of this bond act are to:

(1) Fund retrofitting, reconstruction, repair, replacement, or relocation of state-owned buildings or facilities which have earthquake or other safety deficiencies.

(2) Provide financial assistance to local governments for earthquake safety improvements in structures housing those agencies critical to the delivery of essential government functions in the event of emergencies and disasters.

8878.52. As used in this chapter, the following terms have the following meanings:

(a) "Committee" means the Earthquake Safety and Public Buildings Rehabilitation Finance Committee created pursuant to subdivision (a) of Section 8878.111.

(b) "Commission" means the Seismic Safety Commission.

(c) "Fund" means the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 created pursuant to Section 8878.55.

(d) "Local government" means any city, county, city and county, or special district.

(e) "Office" means the Office of Emergency Services

(f) "Project" means a program of work to retrofit, reconstruct, repair, replace, or relocate, for local government-owned facilities only, a building, facility, or both, which is owned by any city, county, city and county, or special district and which is included in an application for a grant of funds.

(g) "State Architect" means the Office of the State Architect

(h) "State building or facility" means any building or structure owned by a state agency, which is identified pursuant to Section 8878 60, except for vehicular bridges, roadways, highways, or any facilities or buildings owned by the University of California or the California State University.

(i) "Local government building or facility" means an existing essential services building, as defined in Section 16007 of the Health and Safety Code, or an emergency or public safety local building as identified in Section 8878 99, which is owned by a city, county, city and county, or special district.

(j) "Retrofit" means to either strengthen the structure of a building or facility, or to provide the means necessary to reduce the seismic force level experienced by a building or facility during an earthquake, so as to significantly reduce hazards to life safety while concomitantly providing for the substantially safe egress of occupants during and immediately after such an earthquake

Article 2. Earthquake Safety and Public Buildings Rehabilitation Fund of 1990

8878.55. The Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 is hereby created. The proceeds of bonds issued and sold pursuant to this chapter for the purposes of the programs established in Article 3 (commencing with Section 8878.60) and Article 4 (commencing with Section 8878.90) shall be deposited in the fund and shall be available, upon appropriation by the Legislature, for expenditure pursuant to this chapter for the following purposes:

(a) Two hundred fifty million dollars ($250,000,000) for the following:

(1) Financing the costs of retrofitting, reconstruction, repair, replacement, or relocation of state buildings or facilities which are seismically unsafe or have other safety deficiencies For these projects, allowable costs include the cost of

abating falling hazards; the cost of engineering, architectural, financial, and legal services; preparation of plans, specifications, studies, surveys, and estimates; administrative expenses; land acquisition for replacement projects, direct construction, or rehabilitation; and costs necessary or incidental to the project.

(2) Investigating state buildings which have been determined to be, or are suspected to be, inadequate for earthquake safety and associated fire and life safety deficiencies, asbestos, other toxics, or falling hazards, and handicap accessibility deficiencies.

(b) Fifty million dollars ($50,000,000) for the following:

(1) Financial assistance to local governments for the cost of retrofitting, reconstructing, repairing, replacing, or relocating earthquake-unsafe buildings or facilities, including, but not limited to, the abatement of falling hazards.

(2) Financial assistance to local governments for the costs of working drawings, plan reviews, and inspections to effect a significant life-hazard reduction. The costs of preliminary plans may be reimbursed upon the appropriation for the project. Reasonable administrative costs of administering state agencies may be appropriated from this source.

(c) Projects approved pursuant to subdivision (b) shall be limited to buildings or facilities which provide essential services or emergency or public safety services which meet the requirements of Section 8878.99 and for which local matching funds equaling at least 25 percent of the total cost of the seismic rehabilitation portion of the project are guaranteed

(d) Notwithstanding any other provision of this section, the Seismic Safety Commission may, to further the objectives of subdivision (a) or (b), and if appropriated by the Legislature, use up to 1 percent of the proceeds of the bonds issued and sold pursuant to this chapter that are deposited into the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 to research methods, techniques, and technologies to identify and analyze existing potentially hazardous buildings and facilities, including, but not limited to, unreinforced masonry construction, as well as for the additional purposes of researching and developing methods, techniques, and technologies for seismic safety retrofitting of the buildings, as well as helping to develop and prepare building standards and administrative regulations relating to the retrofitting of the buildings for seismic safety purposes.

(1) All research funds appropriated pursuant to this subdivision shall be administered and disbursed according to guidelines established by the commission

(2) These guidelines shall set forth the terms and conditions upon which the commission is prepared to fund research projects pursuant to this subdivision. The guidelines do not constitute rules, regulations, orders, or standards of general application.

Article 3. State Buildings or Facilities

8878.60. (a) State building or facility projects eligible for retrofitting, reconstruction, repair, replacement, relocation, or other seismic hazard abatement shall be based upon criteria established by the State Architect. The criteria shall include the factor of the population at risk of injury and may include, but are not limited to, the report by H.J Degenkolb and Associates to the Seismic Safety Commission dated April 19, 1981, Seismic Safety Commission Report Number 604, as revised on December 31, 1987, or any updates of those reports received and adopted by the Seismic Safety Commission.

(b) If the state building or facility is designated as a historic building as defined in Section 18955 of the Health and Safety Code, the State Architect shall consult with the Office of Historic Preservation before proposing to demolish the building or facility.

(c) The State Architect may determine that because of the age, material used in construction, potential for ground failure in an earthquake, or the type of construction or the design of the structure, it would be more cost-effective to replace or relocate rather than rehabilitate the state building or facility. Upon that determination, the Director of General Services may submit to the Department of Finance a recommendation that the building be replaced or relocated. Upon receipt of the recommendation, the Director of Finance shall review and consider that recommendation and may recommend to the Governor inclusion of this project in the annual Budget Bill or any other legislative bill.

8878.61. The Director of General Services shall provide to the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature a listing of expenditures for activities pursuant to this article by January 10 each year. This information shall be submitted either in the Governor's Budget documents or a separate report.

Article 4. Local Government Buildings

8878.90. (a) The State Architect, with the consultation of the Seismic Safety Commission and the Office of Emergency Services, shall establish criteria for projects potentially eligible for an appropriation from the Legislature, pursuant to subdivision (b) of Section 8878 55 based on factors including the populations at risk of injury and the cost-effectiveness of remedial actions

(b) The State Architect shall establish the criteria for potential funding pursuant to subdivision (b) of Section 8878.55 based upon the following order of seismic hazard reduction priorities:

(1) Abatement of falling hazards, as defined by the State Architect with the consultation of the Seismic Safety Commission, that are structural or nonstructural components of buildings or facilities and that pose serious threats to life, including, but not limited to, parapets, appendages, cornices, hanging objects, and building cladding.

(2) The seismic retrofitting of those buildings or facilities for which partial, localized, or phased seismic retrofits will significantly reduce collapse hazards with minimal disruption to either the operation of the buildings or facilities or disruption of the occupants of the buildings or facilities.

(3) All other buildings or facilities requiring seismic retrofitting.

8878.95 Applications for funds for local government buildings under this article shall be made to the State Architect in the form and with the supporting material as prescribed by the State Architect

8878 96. Any appropriation of bond funds pursuant to this article may include provisions as agreed by the parties thereto, and the contract shall include, but not be limited to, all of the following·

(a) An estimate of the reasonable cost of the project

(b) An agreement by the State Architect to grant to the local government, during the progress of construction or following completion of construction as agreed by the parties, an amount which equals no more than 75 percent of the portion of construction costs found by the State Architect to be eligible for a state grant.

(c) An agreement by the local government to (1) proceed expeditiously with, and complete, the project, (2) commence operation of the project upon

completion thereof, (3) properly operate and maintain the project in accordance with the applicable provisions of law, and (4) provide for payment of the local government's share of the cost of the project.

(d) At least 25 percent of the total cost for the seismic rehabilitation of the project, for the purposes specified in subdivision (b) of Section 8878.55, shall be paid by the local government.

8878.97. The State Architect shall provide to the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature a listing of expenditures for activities pursuant to this article by January 10 of each year. This information shall be submitted either in the Governor's Budget documents or a separate report.

8878.98. Allocations are limited to only the seismic rehabilitation portion of the improvement project, as determined by the State Architect. To the extent that other elements of work are proposed, a cost-sharing formula shall be developed by the State Architect which will be applicable to planning and design costs for the total project. The retrofitting portion of any project shall, to the greatest extent possible, be conducted during the same general period of time that life safety hazards, including, but not limited to, asbestos-related hazards or fire and panic safety hazards, are abated, or when periodic renovation or maintenance of the essential services building is performed.

8878.99. (a) Allocations made by the State Architect to local governments shall only be used to improve existing essential services buildings, as defined in Section 16007 of the Health and Safety Code, and emergency and public safety local buildings, including, but not limited to, county hospitals, courthouses, and city halls to resist earthquakes, and remain operational after a major earthquake. The allocations may be made with respect to all, or any part, of the building, but the allocations shall be used only for seismic retrofitting.

(b) Improvements to essential services facilities of local governments shall be considered in the order prescribed by the State Architect, consistent with subdivision (b) of Section 8878.100.

(c) Notwithstanding any other provision of law, except for Section 8878.90, if a local government determines, and the State Architect concurs, that because of the age, material used in construction, potential for ground failure in an earthquake, or the type of construction or the design of the structure that it would be more cost-effective to replace or relocate rather than rehabilitate the potentially eligible essential services facility or emergency or public safety local building, an allocation of up to that amount determined to be necessary for the seismic retrofit of the original structure, but not to exceed the actual cost of replacement and relocation, may be applied to the construction of the replacement facility under the following conditions.

(1) The essential services contained in the original facility shall be relocated to the replacement facility.

(2) If a new facility is constructed, the original facility shall not be eligible for additional funding under this program.

(3) If the original essential services facility or emergency or public safety local building is designated as an historic building as defined in Section 18955 of the Health and Safety Code, the State Architect shall consult with the Office of Historic Preservation before agreeing to any proposal to demolish the facility

8878.100. Funds shall be distributed by the State Architect in the following manner:

(a) Upon receipt of an application by a local government for a grant pursuant to this article, the office or the State Architect may propose improvements to the project which will meet regional needs in a cost-effective manner. These improvements may include, but need not be limited to, structural strengthening, hardening of communication equipment, providing emergency power equipment, and other capital improvements which can be demonstrated as part of an emergency response plan which has a description of the critical facilities needed to support emergency response. The office, the State Architect, and the applicant may agree to include these capital improvements in the grant.

(b) In coordination with the Seismic Safety Commission and the Office of Emergency Services, and with the input of the potentially eligible local governments, the State Architect, consistent with Section 8878.90, shall establish a priority list of the types of potentially eligible local government buildings and facilities which are eligible to receive a state grant pursuant to this article.

(c) After completion of the priority list, the State Architect shall present this list of potentially eligible local government buildings and facilities to the Department of Finance for its review and consideration of whether to recommend to the Governor to include this list in the Budget Bill or other legislative proposal. The Legislature may review and appropriate funds available under this bond act for specific projects on the list which it deems appropriate.

(d) The State Architect shall allocate funds to local governments for the seismic retrofit of buildings or facilities based upon projects and appropriations approved in the Budget Bill or some other bill by the Legislature as provided in this section. Payments shall be made on a progress basis

8878.101. (a) An application for an allocation pursuant to this article shall not be recommended for approval by the State Architect unless the project meets the minimum seismic safety standards as established by the State Architect. Preliminary design work, including preliminary plans and a detailed cost estimate for the project shall be completed and submitted with the application.

(b) Any proposal for a project addressing more than seismic retrofit shall include a certification by the project architect or consulting engineer of the portion of the cost required for the eligible seismic improvements.

(c) If the project involves an essential services building, no allocation of funds may be made unless the State Architect finds that the project or the project plan is consistent with the Essential Services Building Seismic Safety Act of 1986 (Chapter 2 (commencing with Section 16000) of Division 12.5 of the Health and Safety Code).

8878.102. For a local government to be eligible for funding, the local government must have complied with Chapter 12 2 (commencing with Section 8875) and also have an emergency plan approved by the office as being consistent with the state planning guidelines and the State Emergency Plan and the most recent catastrophic emergency response plan. The local government shall also have a priority list that identifies those facilities which are not expected to be operational after a major earthquake and which are critical to carrying out the emergency plan.

8878.103. First priority for allocations of funds shall be given to projects located in seismic hazard zone 4, as defined and illustrated in Chapter 23 (commencing with Section 2301) of Part 2 of Title 24 of the California Code of Regulations, and projects located in San Diego and Sacramento Counties. The office shall certify that the local government projects are needed for emergency response to a major earthquake

8878.104. Operation and maintenance costs shall be the responsibility of the grantee and may not be considered as part of the project cost. Costs for planning preliminary engineering studies, including preliminary plans, may be reimbursed following the receipt of an allocation of funds, subject to approval by the State Architect.

8878.105. Funds allocated pursuant to this article shall be available for expenditure by the local government within three years of the awarding of the allocation.

8878.106. (a) The office and the State Architect, after public notice and hearing and with the concurrence of the Seismic Safety Commission, shall establish guidelines necessary to carry out the purposes of this article. The guidelines shall include, but not be limited to, criteria and procedures for establishing the eligibility of the applicant, but shall not constitute rules, regulations, orders, or standards of general application.

(b) The office and the State Architect, with the concurrence of the Seismic Safety Commission, shall establish guidelines that will carry out this article and provide an adequate emergency response capability after a major earthquake. The guidelines may provide for the denial of funds when the purposes of this article may most economically and efficiently be attained by means other than the construction of the proposed project.

(c) The office and the State Architect, with the concurrence of the Seismic Safety Commission, may subsequently revise the guidelines as necessary to implement provisions of this chapter for any other reason to carry out the purposes of this article.

(d) Guidelines established pursuant to the provisions of this section shall not constitute rules, regulations, orders, or standards of general application.

8878 107 The office shall notify local governments that may be eligible for grants pursuant to this article of the following·

(a) The purposes of this article.

(b) The guidelines established by the office and the State Architect.

Article 5. Fiscal Provisions

8878.109. Bonds in the total amount of three hundred million dollars ($300,000,000), exclusive of refunding bonds issued pursuant to Section 8878.118, or so much thereof as is necessary, may be issued and sold to be used for carrying out the purposes expressed in this chapter and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5. A sum, not to exceed three hundred million dollars ($300,000,000) of the bond proceeds shall be deposited in the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 for the purposes of this chapter. All bonds herein authorized which have been duly sold and delivered as provided herein shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest thereof.

8878.110 The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

8878.111. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Earthquake Safety and Public Buildings Rehabilitation Finance

Committee is hereby created. For the purposes of this chapter, the Earthquake Safety and Public Buildings Rehabilitation Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Treasurer, the Controller, the Director of Finance, the Director of General Services, or a designated representative of each of those officials. The Treasurer shall serve as the chairperson of the committee. A majority of the committee may act for the committee.

(b) for purposes of this chapter and the State General Obligation Bond Law, the entity designated as the "board" means the Department of General Services.

(c) The committee designated in subdivision (a) may adopt guidelines establishing requirements for administration of its financing programs to the extent necessary to protect the validity of, and tax exemption for, interest on the bonds. The guidelines shall not constitute rules, regulations, orders, or standards of general application.

8878.112. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 8878.55, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

8878.113. There shall be collected annually in the same manner and at the same time as other state revenue is collected, a sum of money in addition to the ordinary revenues of the state, sufficient to pay the principal of, and interest on, these bonds as provided herein, and all officers required by law to perform any duty in regard to the collection of state revenues shall collect that additional sum.

8878.114. Notwithstanding Section 13340, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out Section 8878.115, appropriated without regard to fiscal years.

8878.115. For the purposes of carrying out this chapter, the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has, by resolution, authorized to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990. Any money made available under this section shall be returned to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from money received from the sale of bonds which would otherwise be deposited in that fund.

8878.116. All moneys derived from premium and accrued interest on bonds sold shall be reserved and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

8878.117. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this article are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

8878.118. Any bonds issued and sold pursuant to this article may be refunded by the issuance of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4. Approval by the electors of the state for the issuance of these bonds shall include the approval of any bonds issued to refund any bonds originally issued or previously issued refunding bonds.

8878.119. The "board" may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312, for the purposes of carrying out this chapter. The amount of any request shall not exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. The applicable board shall execute those documents as are required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 to be allocated by the board designated in subdivision (c) of Section 8878.111 in accordance with this chapter.

8878.120. Notwithstanding any provision of this chapter or the State General Obligation Bond Law set forth in Chapter 4 (commencing with Section 16720) of Part 3 of Division 4, if the Treasurer sells bonds pursuant to this chapter the interest on which is intended to be excluded from gross income for federal tax purposes, the Treasurer shall be authorized to maintain separate accounts for the investment of bond proceeds and the investment earnings on those proceeds, and the Treasurer shall be authorized to use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

8878.121. Notwithstanding anything in the State General Obligation Bond Law, the maximum maturity of any bonds authorized by this chapter shall not exceed 20 years from the date of each respective series. The maturity of each series shall be calculated from the date of each series.

8878.122 All moneys deposited in the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990 pursuant to any provision of law requiring repayments to the state which are financed by the proceeds of bonds authorized by this chapter shall be available for transfer to the General Fund. When transferred to the General Fund, that money shall be applied as a reimbursement to the General Fund on account of principal and interest on the bonds which has been paid from the General Fund.

Article 6. Miscellaneous Provisions

8878.123 The administrative provisions of Article 3 (commencing with Section 8878.60) and Article 4 (commencing with Section 8878.95) may be amended by statute without submission to the voters

8878.124. Charges incurred by the Attorney General in protecting the state's interest in the grant funds under this chapter shall be payable from proceeds of bond sales for the purposes of this chapter. These charges shall not be paid from funds allocated for administrative purposes, but shall be treated as a program expense not to exceed one hundred fifty thousand dollars ($150,000).

8878.125. (a) The proceeds from the sale of the bonds pursuant to this act shall not replace or supplant funds available from the Federal Emergency Management Agency (FEMA). If funds are received from FEMA for costs applied

for under this chapter, then proceeds from the fund shall not be allocated, or if already allocated, then the fund shall be reimbursed for any ineligible amount.

(b) No allocations shall be made from the fund for local buildings or facilities which qualified for state or federal assistance under the Natural Disaster Assistance Act (Chapter 7.5 (commencing with Section 8680)) for retrofitting, reconstruction, repair, replacement, or relocation of structures damaged by a disaster until the Office of Emergency Services determines either: (1) that reasonable efforts have been made to secure other state and federal funds, or (2) that the other sources of funding are insufficient to make the necessary seismic improvements. Similarly, no such allocations from the fund shall be made for state buildings or facilities unless the Department of Finance determines either: (1) the responsible agency has made reasonable efforts to secure other state and federal funds, or (2) that the other sources of funding are insufficient to correct state buildings or facilities which are seismically unsafe or suffer from other safety deficiencies.

8878.126. (a) No local government building or facility that is listed or is eligible for listing on the National Register of Historic Places or listed on any officially sponsored state or local register or inventory of historic places, may be demolished, destroyed, or significantly altered, except for restoration to preserve or enhance its historical value, unless the local government finds that the structure presents a clear and imminent threat to the public of bodily harm or of damage to adjacent property which threat cannot be mitigated by isolation or other measures less damaging than removal, or unless the State Office of Historic Preservation determines, pursuant to subdivision (b), that the structure may be demolished, destroyed, or significantly altered.

(b) Any local government may apply to the State Office of Historic Preservation for its determination as to whether a structure meeting the description set forth in subdivision (a) shall be demolished, destroyed, or significantly altered. That determination shall be based upon the extent of damage to the structure, the structure's historic significance, and any other factor deemed by the State Office of Historic Preservation to be relevant. In making that determination, the State Office of Historic Preservation shall consider the recommendation of a team selected by the State Office of Historic Preservation composed of three residents with historic preservation expertise who reside in the affected county

Number on ballot

123. **1990 School Facilities Bond Act.** (Statutes 1990, Chapter 24, SB 173)

[Approved by electors June 5, 1990.]

PROPOSED LAW

SECTION 1. Chapter 21.4 (commencing with Section 17660) is added to Part 10 of the Education Code, to read:

CHAPTER 21.4. 1990 SCHOOL FACILITIES BOND ACT

Article 1. General Provisions

17660. This chapter shall be known and may be cited as the 1990 School Facilities Bond Act.

17660.10. As used in this chapter, the following terms have the following meanings:

(a) "Committee" means the State School Building Finance Committee created pursuant to Section 15909.

(b) "Fund" means the State School Building Lease-Purchase Fund.

Article 2. Program Provisions

17660.15. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the fund.

17660.20. (a) All moneys deposited in the fund shall be available to provide aid to school districts of the state in accordance with the Leroy F. Greene State School Building Lease-Purchase Law of 1976 (Chapter 22 (commencing with Section 17700)), the purposes authorized under Section 17660.30, and all acts amendatory thereof and supplementary thereto, to provide funds to repay any money advanced or loaned to the State School Building Lease-Purchase Fund under any act of the Legislature, together with interest provided for in that act, and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code.

(b) Only those statutes, regulations, guidelines, and other laws in effect on or before March 11, 1990, shall apply to the allocation of moneys made available under this chapter for the purposes of Chapter 22 (commencing with Section 17700).

17660.30. (a) Of the proceeds from the sale of bonds pursuant to this chapter, not more than two hundred sixty million dollars ($260,000,000) may be used for one or more of the following purposes:

(1) Project funding for applicant districts under Chapter 22 (commencing with Section 17700) that are eligible for that funding, but that lack funding priority due to the size of pupil enrollment in the district.

(2) The identification, assessment, or abatement of hazardous asbestos in school facilities, pursuant to either Chapter 22 (commencing with Section 17700) or Section 39619.6.

(3) The acquisition of portable classrooms for use in accordance with Chapter 25 (commencing with Section 17785).

(4) The reconstruction or modernization of facilities within the meaning of Chapter 22 (commencing with Section 17700).

(5) The funding of child care facilities pursuant to Section 8477.

(b) Of the proceeds from the sale of bonds pursuant to this chapter, forty million dollars ($40,000,000) shall be used for the purchase and installation of air-conditioning equipment and insulation materials, and related costs, pursuant to Section 42250.1 for schools operated on a year-round multitrack schedule in a manner that increases school capacity and reduces or eliminates the district's need for the construction of additional classroom space.

(c) Notwithstanding subdivision (b), in the event the board determines that the amount made available under that subdivision exceeds the amount necessary to fund the qualified recipients of the apportionment authorized under that subdivision, as indicated by those applications for that funding received by the board on or before June 30, 1991, the board may expend any portion of that excess for any one or more of the purposes described in subdivision (a).

Article 3. Fiscal Provisions

17660.40. Bonds in the total amount of eight hundred million dollars ($800,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to provide funds to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation

Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

17660.45. (a) The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

(b) For purposes of the State General Obligation Bond Law, the State Allocation Board is designated the "board."

17660.50. Upon request of the board from time to time, supported by a statement of the apportionments made and to be made for the purposes described in Section 17660.20, the committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to provide funds for the apportionments and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to provide funds for those apportionments progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

17660.53. The board may request the Pooled Money Investment Board for a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, and may execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. The loan shall be deposited in the fund for the purpose of carrying out the provisions of this chapter. The amount of the loan shall not exceed the amount of the unsold bonds that the committee, by resolution, has authorized to be sold for the purposes of this chapter.

17660.55. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

17660 60. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 17660.70, appropriated without regard to fiscal years.

17660.65. Notwithstanding any other provision of this chapter, or of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions, the Treasurer may maintain separate accounts for the bond proceeds invested and the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay any

rebate, penalty, or other payment required under federal law, or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

17660.70. For the purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, together with interest at the rate paid on moneys in the Pooled Money Investment Account, from money received from the sale of bonds for the purpose of carrying out this chapter.

17660.75. All money deposited in the fund that is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

17660.80. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. The approval by the electors of the state of the issuance and sale of bonds under this chapter includes approval of any bonds issued to refund either those bonds or any previously issued refunding bonds.

17660.85. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

MEASURES DEFEATED

INITIATIVE CONSTITUTIONAL AMENDMENTS AND STATUTES

Number on ballot

118. **Legislature. Reapportionment. Ethics.**

[Submitted by the initiative and rejected by electors June 5, 1990.]

PROPOSED LAW

SECTION 1. This initiative shall be known and may be cited as "The Legislative Ethics Enforcement Initiative of 1990."

SECTION 2. The people of the State of California find and declare as follows:

(a) The people are entitled to honest, fair and responsive representation from members of the Legislature. There is a widespread and growing perception on the part of the people that many state legislators, who should be role models of integrity, are not adhering to proper standards of legislative ethics. Public cynicism with respect to the integrity of the Legislature is increased by the perception that many legislators, rather than serving the public interest, serve the selfish personal interests of themselves, their friends and their political allies by

receiving expensive gifts, honoraria, and offers of future employment from special interests, by establishing elective districts that have no purpose except personal or partisan advantage, and by looking the other way when other legislators behave unethically. Such perceptions undermine the people's trust in government.

(b) The Legislature has enacted laws which govern the conduct of the people of California, but has not enacted laws which effectively govern ethical misconduct by its own members. Existing law is grossly inadequate in the following respects:

(1) It permits legislators to supplement their income by receiving gifts and honoraria from persons or groups with interests before the Legislature. The receipt of such gifts and honoraria may improperly influence governmental decision-making and does, in any event, create the appearance of improper influence.

(2) It allows legislators to reap direct financial benefits by granting favors to special interests and then leaving office to work immediately thereafter as lobbyists for the very same special interests.

(3) It does not provide adequate public disclosure with respect to legislative ethics, with the result that ethical violations go undetected and escape public notice.

(4) It fails to establish an effective mechanism for enforcing legislative ethics or punishing violations of legislative ethics. Instead, existing law permits complaints against legislators to be summarily dismissed without public explanation or accountability.

(5) It allows legislators to implement a state redistricting process that is intended to result in decade-long public employment for the great majority of incumbent legislators—from both political parties—by virtue of seats which are immune from effective competition at general elections. This exercise in legislative self-interest has been accomplished, in part, by the inordinate use of public funds and has been insulated from judicial remedy by delaying the enactment of redistricting statutes until shortly before elections.

(6) It likewise allows legislators to implement, at excessive public expense and insulated from judicial remedy, a Congressional redistricting process that enables legislators to design new seats for which they are the most advantaged candidates and to establish districts to benefit political allies in the expectation of future favors.

(7) It allows legislators to engage in legislative activities as to which they have a conflict of interest.

(c) Because the Legislature has not solved the foregoing problems within existing laws, the people must assert by initiative their own paramount power to reform legislative ethics.

SECTION 3. The people enact this initiative to enforce legislative ethics and thereby to safeguard the people's right to fair and responsive representation by:

(a) Strengthening the Joint Legislative Ethics Committee with respect to the detection, public disclosure, and punishment of legislative ethics violations and with respect to other aspects of legislative ethics enforcement.

(b) Establishing a Code of Legislative Ethics that contains new and stricter rules of conduct, including:

(1) Restricting legislators from voting on redistricting statutes in their own partisan and personal interest or in expectation of personal or political favors by changing state Senate terms to avoid redistricting abuses, establishing detailed

Constitutional criteria for elective districts, restricting nonessential expenditures for redistricting, providing for an automatic referendum on any redistricting statute, imposing a requirement that a redistricting bill pass by a super-majority and requiring that redistricting statutes be enacted promptly;

(2) Prohibiting legislators from accepting gifts and honoraria from persons and their agents with matters before the Legislature;

(3) Prohibiting legislators from influencing legislative and administrative action for pay for one year after leaving the Legislature;

(4) Prohibiting legislators from voting on matters as to which they have a conflict of interest.

(c) Imposing new public disclosure requirements with respect to the receipt of gifts and honoraria, redistricting activities, lobbying by former members, ethics complaints and other aspects of legislative ethics.

SECTION 4. Article IV, section 2 of the California Constitution is amended to read as follows:

SEC. 2. (a) The Senate has a membership of 40 ~~Senators~~ *senators* elected for *terms as specified in Article XXI A* ~~4-year terms, 20 to begin every 2 years~~. The Assembly has a membership of 80 members elected for ~~2-year terms. Their~~ *The* terms *of Senators and members of the Assembly* shall commence on the first Monday in December next following their election.

(b) Election of members of the Assembly shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as members of the Assembly.

(c) A person is ineligible to be a member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election.

(d) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

SECTION 5. Section 5 of Article IV of the California Constitution is amended to read as follows:

SEC. 5. *(a)* Each house shall judge the qualifications and elections of its members and, by rollcall vote entered in the journal, ~~two-thirds~~ *two-thirds* of the membership concurring, may expel a member.

(b) The Legislature shall enact laws to *establish ethical standards of conduct for members of the Legislature and to* prohibit members of the Legislature from engaging in activities or having interests which conflict with the proper discharge of their duties and responsibilities, provided that the people reserve to themselves the power to implement this requirement pursuant to Section ~~22~~ *8* of ~~this article~~ *Article II*.

(c) There shall be established within the Legislature a Joint Legislative Ethics Committee to establish, monitor, publicize and enforce standards of legislative ethics for members of the Legislature and compliance with such standards. Initiative statutes implementing the requirements of this section shall supersede inconsistent rules of proceedings adopted pursuant to section 7 of this Article and may provide for methods of enforcement by legislative committees.

(d) Notwithstanding the provisions of Article IV, section 11, the Joint Legislative Ethics Committee shall consist of four members of the Senate and four members of the Assembly. Of the four members from each house, two shall be selected by a majority vote of the caucus of the political party having the largest

number of members in that house and two shall be selected by a majority vote of the caucus of the political party having the second largest number of members in that house.

SECTION 6. Article XXI of the California Constitution, as adopted June 3, 1980, is amended to read as follows:

~~REAPPORTIONMENT OF SENATE, ASSEMBLY, CONGRESSIONAL, AND BOARD OF EQUALIZATION DISTRICTS~~

~~SECTION 1.~~ In the year following ~~the~~ *a* year in which the national census is taken under the direction of Congress at the beginning of each decade, the Legislature shall adjust the boundary lines of ~~the Senatorial, Assembly, Congressional, and~~ Board of Equalization districts in conformance with the following standards:

(a) Each member of the ~~Senate, Assembly, Congress, and the~~ Board of Equalization shall be elected from a single-member district.

(b) The population of all districts ~~of a particular type~~ shall be reasonably equal.

(c) Every district shall be contiguous.

(d) Districts ~~of each type~~ shall be numbered consecutively commencing at the northern boundary of the state and ending at the southern boundary.

(e) The geographical integrity of any city, county, or city and county, or of any geographical region shall be respected to the extent possible without violating the requirements of any other subdivision of this section.

SECTION 7. Article XXI A of the California Constitution is added to read as follows:

XXI A

(a) At the end of the year following the year in which the national census is taken under the direction of the Congress at the beginning of each decade, the statutes establishing the boundary lines for the Senate, Assembly and Congressional districts shall be of no further force and effect.

(b) In the year following the year in which the said national census is taken, the Legislature shall enact new statutes to establish the boundary lines of the Senate, Assembly, and Congressional districts for the following ten years.

(c) The Joint Legislative Ethics Committee established pursuant to section 5 of Article IV shall monitor and periodically report to the public on the process by which statutes establishing boundary lines for Senate, Assembly and Congressional districts are enacted.

(d) The boundary lines for Senate, Assembly and Congressional districts shall be enacted in two statutes, one for the Senate and Assembly and one for the United States House of Representatives. No bill that establishes the boundaries of a Senatorial, Assembly, or Congressional district shall have any effect unless, by rollcall vote entered in the journal, two-thirds of the membership of each house concurs.

(e) The author or authors of a bill to establish boundary lines for Senate, Assembly or Congressional districts, or of any amendment other than a de minimis amendment to such a bill, shall publicly file with the Joint Legislative Ethics Committee a copy of the bill and/or amendment and reasonably informative descriptions and maps of the boundaries of each proposed district not less than 10 days prior to final vote on the bill or amended bill in either house of the Legislature. The author or authors of any de minimis amendment to such a bill shall publicly file a copy of the amendment with the committee not less

than two days prior to final vote on the bill as amended in either house of the Legislature. No such bill or amendment shall have any effect unless so filed.

(f) No bill establishing boundary lines for Senate, Assembly and/or Congressional districts shall have any effect unless passed by both the Senate and the Assembly prior to July 15 of the year following the year in which the said national census is taken.

(g) No bill establishing boundary lines for Senate, Assembly and/or Congressional districts shall have any effect if the bill is vetoed by the Governor.

(h) The Secretary of State shall automatically submit each statute establishing Senate, Assembly and/or Congressional districts to a vote of the electors at the next scheduled statewide election. The measure shall be submitted in the same manner as a referendum as provided in Article II, Section 9, but the effect of the statute shall not be delayed from going into effect prior to the referendum vote of the electors.

(i) Each statute establishing boundary lines for Senate, Assembly or Congressional districts shall conform to the following objectives and standards:

(1) Each such statute, bill or amendment shall provide fair representation for all people of the state and shall be drawn to meet the requirements of the United States Constitution and federal statutes.

(2) Each Senate district shall be composed of two adjacent Assembly districts.

(3) Districts shall be single member. State legislative districts shall not vary in population by more than one percent. Congressional districts shall have populations which are as nearly equal as practicable.

(4) Districts shall respect regional boundaries. No district may cross the following common county boundaries. Del Norte and Siskiyou, Humboldt and Siskiyou, Humboldt and Trinity, Mendocino and Trinity, Mendocino and Tehama, Mendocino and Glenn, Lake and Glenn, Contra Costa and Sacramento, Contra Costa and San Joaquin, Alameda and San Joaquin, Alameda and Stanislaus, Santa Clara and San Joaquin, Santa Clara and Stanislaus, Santa Clara and Merced, Santa Clara and San Benito, Santa Clara and Santa Cruz, San Mateo and Santa Cruz, San Benito and Merced, San Benito and Fresno, Monterey and Fresno, Monterey and Kings, San Luis Obispo and Kings, San Luis Obispo and Kern, Santa Barbara and Kern, Ventura and Kern

(5) Only one district of a type may cross the common boundary between two counties. No county may contain subdivisions of more than two districts. No district of a type shall contain subdivisions of more than two counties.

(6) Districts shall be contiguous and compact Populous adjacent territory shall not be bypassed to reach distant populous areas. Each Assembly district, Senate district and Congressional district shall contain no less than 60 percent of the population contained in that polygon, bounded by only straight lines, with the shortest possible perimeter, drawn around that district. The average of all these percentages, for all districts of a type, shall not be less than 75 percent For purposes of computing these percentages, the total population of any unit of census geography shall be deemed within the polygon or district if that unit's geographic center falls within the district or polygon. The islands off the coast of the state shall not be used for these calculations.

(7) Districts shall minimize the division of cities. No city smaller than the size of a district shall contain subdivisions of more than two districts. No district may contain subdivisions of more than two cities

(8) Districts shall minimize the division of census tracts. No district of a type may contain subdivisions of more than four census tracts except to conform to city or county lines.

(9) Districts shall not be drawn for the purpose of favoring any political party.

(10) Districts shall not be drawn for the purpose of favoring any incumbent.

(11) In the event the application of any of the above criteria shall cause a violation of the United States Constitution or federal statutes, and there is no other way to conform to the criteria which would not cause such a violation, a court of competent jurisdiction may authorize deviations from the particular criteria, but no more than necessary to avoid said violation, and the remainder of the statute or plan shall be faithful to the particular criteria.

(j) In the event statutes redistricting the Legislature and/or Congress are not enacted in compliance with subdivisions (d), (e), (f), (g), (h) and (i) of this Article, or the electors reject one or both statutes, any voter may commence a legal proceeding to establish the applicable legislative and/or congressional district boundaries in accordance with the objectives and standards set forth in this Article. The court may designate interim and/or decade-long district boundaries and may invite members of the public to submit proposed redistricting plans. The court shall designate district boundaries that satisfy all federal constitutional and statutory requirements and are most faithful to the objectives, standards and other requirements set forth in this Article. The designation of district boundaries that were in effect during the preceding decade, that have been approved by less than a two-thirds majority of the membership of each house of the Legislature or that were vetoed by the Governor are expressly disapproved except as an emergency remedy of last resort.

(k) Elections shall be held for all Senate seats in the second, sixth and tenth years following the year in which a national census is taken.

(l) The Legislature may not spend taxpayers' or other public monies for data or a system of computer hardware and/or software to perform redistricting unless said data or system is made equally accessible to every member of the Legislature. Any non-commercially available data, computer software or programs to perform redistricting purchased by the Legislature, including committees and party caucuses thereof, with taxpayers' or other public monies shall be made available for immediate purchase by members of the public at cost

(m) The amount of taxpayers' or other public monies expended by the Legislature for redistricting shall be no greater than one-half the amount of such monies expended by the Legislature, including committees and party caucuses thereof, to develop redistricting plans based on the 1980 decennial census, adjusted for changes in the cost of living, as determined by the Director of Finance. In computing that amount the Director of Finance shall include all expenditures for the collection and analysis of data and development of proposed and final plans as well as all other costs incurred by the Legislature for the purpose of devising and adopting redistricting plans

(n) Initiative statutes implementing the requirements of this Article shall supersede inconsistent rules of proceedings adopted pursuant to section 7 of Article IV and may provide for enforcement by legislative committees.

SECTION 8. Government Code Section 8920 is amended to read as follows:

8920. (a) No Member of the Legislature, state elective or appointive officer, or judge or justice shall, while serving as such, have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature, which is in substantial

conflict with the proper discharge of his *or her* duties in the public interest and ~~of~~ his *or her* responsibilities as prescribed in the laws of this state.

(b) No Member of the Legislature shall do any of the following:

(1) Accept other employment which he *or she knows or* has reason to *know* ~~believe~~ will either impair his independence of judgment as to his *or her* official duties or require him *or her*, or induce him *or her*, to disclose confidential information acquired by him *or her* in the course of and by reason of his *or her* official duties.

(2) Willfully and knowingly disclose, for pecuniary gain, to any other person, confidential information acquired by him *or her* in the course of and by reason of his *or her* official duties or use any such information for the purpose of pecuniary gain.

(3) Accept or agree to accept, or be in partnership with any person who accepts or agrees to accept, any employment, fee, or other thing of monetary value, or portion thereof, in consideration of his *or her* appearing, agreeing to appear, or taking any other action on behalf of another person before any state board or agency.

This subdivision shall not be construed to prohibit a member who is an attorney at law from practicing in that capacity before any court or before the Workers' Compensation Appeals Board and receiving compensation therefor. This subdivision shall not act to prohibit a member from acting as an advocate without compensation or making inquiry for information on behalf of a constituent before a state board or agency, or from engaging in activities on behalf of another which require purely ministerial acts by the board or agency and which in no way require the board or agency to exercise any discretion, or from engaging in activities involving a board or agency which are strictly on his or her own behalf. The prohibition contained in this subdivision shall not apply to a partnership or firm of which the Member of the Legislature is a member if the Member of the Legislature does not share directly or indirectly in the fee, less any expenses attributable to that fee, resulting from the transaction. ~~The prohibition contained in this subdivision as it read immediately prior to January 1, 1983, shall not apply in connection with any matter pending before any state board or agency on or before January 2, 1967, if the affected Member of the Legislature was an attorney of record or representative in the matter prior to January 2, 1967. The prohibition contained in this subdivision, as amended and operative on January 1, 1983, shall not apply to any activity of any Member in connection with a matter pending before any state board or agency on January 1, 1983, which was not prohibited by this section prior to that date, if the affected Member of the Legislature was an attorney of record or representative in the matter prior to January 1, 1983.~~

(4) Receive or agree to receive, directly or indirectly, any compensation, reward, or gift from any source except the State of California for any service, advice, assistance or other matter related to the legislative process, except *gifts, honoraria and/or* fees for *any* ~~speeches~~ *speech, article,* or published ~~works~~ *work* on ~~legislative subjects~~ *a subject relating to the governmental process and within the limitations established by sections 85400 and 85401* and except, in connection therewith, *payment or* reimbursement ~~of~~ *for actual travel* expenses ~~for actual expenditures for travel~~ and reasonable subsistence for which no payment or reimbursement is made by the State of California.

(5) Participate, by voting or any other action, on the floor of either house, in committee, or elsewhere, in the passage or defeat of *any* legislation in which he has a personal interest. ~~, except as follows:~~

~~(i) If, on the vote for final passage by the house of which he is a member, of the legislation in which he has a personal interest, he first files a statement (which shall be entered verbatim on the journal) stating in substance that he has a personal interest in the legislation to be voted on and, notwithstanding that interest, he is able to cast a fair and objective vote on that legislation, he may cast his vote without violating any provision of this article.~~

~~(ii) If the member believes that, because of his personal interest, he should abstain from participating in the vote on the legislation, he shall so advise the presiding officer prior to the commencement of the vote and shall be excused from voting on the legislation without any entry on the journal of the fact of his personal interest.~~ In the event a rule of the house requiring that each member who is present vote aye or nay is invoked, the presiding officer shall order the member excused from compliance and shall order entered on the journal a simple statement that the member was excused from voting on the legislation pursuant to law.

The provisions of this section do not apply to persons who are members of the state civil service as defined by Article VII of the California Constitution.

SECTION 9. Government Code Section 8921.1 is added to read as follows:

8921.1. Notwithstanding the provisions of Section 8921, a member of the Legislature does not have an interest which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed in the laws of this state or a personal interest, arising from his or her vote or official action in connection with a redistricting statute

SECTION 10. Government Code Section 8923 is added to read as follows:

8923. Every member of the Legislature required to file a statement pursuant to section 87202, 87203 or 87204 shall at the same time as required therein file a verified copy of such statement with the Joint Legislative Ethics Committee.

SECTION 11. Government Code Section 8923.1 is added to read as follows.

8923.1. Every member of the Legislature who receives gifts or honoraria having an aggregate value of $50 dollars or more in a calendar year from a single source or payments or reimbursements for travel expenses and subsistence in connection with any speech, article or published work on any subject having an aggregate value of $50 or more in a calendar year from a single source shall report such gifts, honoraria, payments and reimbursements to the Joint Legislative Ethics Committee during the month following the calendar quarter in which they were received. The report of each gift, honorarium, payment and reimbursement shall include the information required by section 87207 for gifts and honoraria and by section 87211 for travel and subsistence expenses.

SECTION 12. Government Code Section 8923.2 is added to read as follows:

8923.2 (a) Every member of the Legislature upon leaving office shall be provided by the Joint Legislative Ethics Committee with a copy of section 87406 hereof.

(b) At the beginning of each legislative session, the committee shall provide to each member of the Legislature a list of former members of the Legislature who left office within the preceding twelve months and who are therefore subject to section 87406 hereof. Said list shall be revised by the committee and provided to each member of the Legislature no more than five days after the date on which any member leaves office to add the leaving member and not later than twelve months thereafter to delete the leaving member.

SECTION 13. Government Code Section 8923.3 is added to read as follows:

8923.3 The author or authors of a bill establishing boundary lines of Senate, Assembly or Congressional districts, or of any amendment other than a de minimis amendment to such a bill, shall publicly file with the Joint Legislative Ethics Committee a copy of the bill and/or amendment and reasonably informative descriptions and maps of the boundaries of each proposed district not less than 10 days prior to final vote on the bill or amended bill in either house of the Legislature. The author or authors of any de minimis amendment to such a bill shall publicly file a copy of the amendment with the committee not less than two days prior to final vote on the bill as amended in either house of the Legislature.

SECTION 14. Government Code Section 8940 is amended to read as follows:

8940. The Joint Legislative Ethics Committee is hereby created. *From and after December 4, 1990,* ~~The~~ *the* committee shall consist of ~~three~~ *four* Members of the Senate and ~~three~~ *four* Members of the Assembly who shall be selected in the manner provided *herein.* ~~for in the Joint Rules of the Senate and Assembly.~~ Of the ~~three~~ *four* members appointed from each house, *two* ~~at least one from each house~~ shall be *selected by a majority vote of the caucus* ~~a member~~ of the political party having the largest number of members in that house and *two* ~~at least one from each house~~ shall be *selected by a majority vote of the caucus* ~~a member~~ of the political party having the second largest number of members in that house. The committee shall elect its own chairman. Vacancies occurring in the membership of the committee shall be filled in the *same* manner *as the original appointment was made* ~~provided for in the Joint Rules of the Senate and Assembly. A vacancy shall be deemed to exist as to any member of the committee whose term is expiring whenever such member is not reelected at the general election.~~

SECTION 15. Government Code Section 8940.1 is added to read as follows:

8940.1. The Joint Legislative Ethics Committee shall, no later than fifteen calendar days after the commencement of each new legislative session.

(a) Promulgate and publish standards of legislative ethics for members of the Legislature with respect to conflicts of interest, the redistricting requirements of California Constitution Article XXI A, gifts, honoraria and such other ethical issues as the committee deems necessary to restore public confidence in the integrity of the Legislature; and

(b) Conduct a seminar on legislative ethics and standards of conduct for new members of the Legislature.

SECTION 16. Government Code Section 8940.2 is added to read as follows:

8940.2. The Joint Legislative Ethics Committee shall publish and deliver to every legislator, no more than 20 days after the commencement of each new legislative session or in the event a legislator takes office after the commencement of a legislative session no more than 20 days after the legislator takes office, a compendium of the following:

(a) The standards of legislative ethics promulgated by the committee in accordance with section 8940 01; and

(b) Copies of California Constitution Article XXI A and all other constitutional and statutory provisions, both federal and state, which directly or indirectly impose ethical requirements upon legislators in the performance of their official duties.

The compendium shall be known as the Code of Legislative Ethics. Not later than 40 days after receiving it, each legislator shall file with the Joint Legislative Ethics Committee a written statement signed under penalty of perjury attesting that the legislator has read said Code of Legislative Ethics.

SECTION 17. Government Code Section 8940.3 is added to read as follows:

8940.3. The Joint Legislative Ethics Committee shall, not later than the thirtieth day of September of each year, assemble and publish a written report of its activities during the fiscal year most recently ended, including, without limitation, a summary of complaints received charging unethical conduct on the part of legislators, a summary of the disposition or current status of each such complaint, a list of ethical standards of conduct issued by the committee during the said fiscal year and a summary of advisory opinions prepared by the committee during the said fiscal year in accordance with section 8955. This report shall be known as the Joint Legislative Ethics Committee Annual Report.

SECTION 18. Government Code Section 8940.4 is added to read as follows:

8940.4. In the year following the year in which the national census is taken under the direction of Congress at the beginning of each decade, the Joint Legislative Ethics Committee shall prepare, publish and make available to the public reports on the redistricting process established pursuant to Article XXI A of the California Constitution, as follows:

(a) No later than March 1 of said year, the committee shall publish an informational report on the redistricting process which shall include, but not be limited to, a discussion as to the expected date of availability of census data from the United States Bureau of the Census, the anticipated schedule of legislative and committee proceedings on each redistricting bill, anticipated dates of public hearings on each such bill, and the anticipated process by which maps and descriptions of each proposed redistricting bill will be made available to the public by the commission.

(b) On the first day of the months of April, May, June, July and August of said year, the committee shall publish status reports on the redistricting process, which shall include the status of all pending redistricting bills and amendments thereto, the availability of maps and descriptions of districts proposed by each such bill and/or amendment to the general public and anticipated committee and house hearing dates thereon The purpose of these periodic reports will be to provide the public with an ongoing flow of information concerning the redistricting process.

(c) The committee shall immediately make available for public inspection, and shall provide copies to the public at cost and at the earliest practicable time of, all bills, amendments, descriptions and maps filed pursuant to Article XXI A, subdivision (e), of the California Constitution.

(d) No later than September 15 of said year, the committee shall publish a final report on the redistricting process which shall include, but not be limited to: i) an evaluation of the Legislature's compliance with the provisions of Article XXI A of the California Constitution; ii) copies of all bills, amendments, descriptions and maps filed pursuant to Article XXI A, subdivision (e), of the California Constitution; and iii) an assessment of each district created by any redistricting statute passed in accordance with Article XXI A of the California Constitution including, with regard to each district, the names of then-current legislators and/or congresspersons who reside in said district, the identity of each city, county and census tract, or portion thereof, contained in each said district, the number of people residing in each district pursuant to the data provided by the United States Bureau of the Census and the number of registered voters, separately stated by political party or independent status, in each such district One of the purposes of said report shall be to provide information on the redistricting process and statutes resulting therefrom so as to be available to the

electorate when considering any referendum on a redistricting statute as provided by the California Constitution Article XXI A.

SECTION 19. Government Code Section 8940.5 is added to read as follows:

8940.5. The Joint Legislative Ethics Committee shall make available for public inspection and copying at cost all reports filed by legislators in accordance with section 8923.1 hereof concerning gifts, honoraria and travel expenses received and, no later than 60 days after each calendar quarter, the committee shall publish a compilation of all such reports received during that quarter.

SECTION 20. Government Code Section 8944 is amended to read as follows:

8944. (a) Any person may file a statement alleging a violation of Article 2 (commencing with Section 8920) with the committee.

(b) To constitute a valid complaint, the statement shall satisfy all of the following requirements:

(1) It shall be in writing.

(2) It shall state the name of the Member of the Legislature alleged to have committed a violation.

(3) It shall set forth allegations which, if true, would constitute a violation of Article 2 (commencing with Section 8920). These allegations shall be stated with sufficient clarity and detail to enable the committee to make a determination pursuant to Section 8945.

(4) It shall be signed by the complainant under penalty of perjury.

(5) It shall include a statement that the facts are true of the complainant's own knowledge or that the complainant believes them to be true.

(c) As used in this article, the term "complaint" means a valid complaint as specified in subdivision (b).

(d) If a complaint is filed with the committee, the committee shall ~~promptly~~ *within ten days of filing* send a copy of the complaint to the Member of the Legislature alleged to have committed the violation complained of, who shall thereafter be designated as the respondent, and the committee ~~may~~ *shall* send a copy of the complaint to the house in which the respondent serves, the Attorney General, the Fair Political Practices Commission, and the district attorney of the county in which the alleged violation occurred.

(e) No complaint may be filed with the committee after the expiration of 12 months from the date upon which the *complainant knew or should have known that the* alleged violation occurred.

SECTION 21. Government Code Section 8945 is amended to read as follows:

8945. (a) If the committee determines that the complaint does not allege facts, directly or upon information and belief, sufficient to constitute a violation of any of the provisions of Article 2 (commencing with Section 8920), it shall dismiss the complaint and notify the complainant and respondent thereof. ~~If the committee has sent a copy of the complaint to any other person or entity specified in subdivision (d) of Section 8944, the~~ *The* committee shall also notify ~~that person or entity~~ *each person or entity sent a copy of the complaint as specified in section 8944(d) hereof* of its determination under this subdivision.

(b) If the committee determines that the complaint does allege facts, directly or upon information and belief, sufficient to constitute a violation of any of the provisions of Article 2 (commencing with Section 8920), the committee shall promptly investigate the alleged violation and, if after the preliminary investigation, the committee finds that probable cause exists for believing the allegations of the complaint, it shall fix a time for a *public* hearing in the matter, which shall be not more than 30 days after the finding. If, after the preliminary investigation,

the committee finds that probable cause does not exist for believing the allegations of the complaint, the committee shall dismiss the complaint. In either event the committee shall notify the complainant and respondent of its determination.

(c) If a result of an investigation initiated pursuant to subdivision (b) of Section 8943, determines that probable cause exists for believing that a Member of the Legislature has violated any of the provisions of Article 2 (commencing with Section 8920), the committee shall fix a time for a *public* hearing in the matter, which shall be not more than 30 days after the determination.

(d) The committee shall make its determination under subdivision (a) or (b) not later than 90 days after first receiving a complaint which contains all of the information required by Section 8944. The committee may, however, seek an extension, not to exceed 90 days, which may be granted by a majority vote of the membership of each house. If the committee has requested a law enforcement agency to investigate the complaint, *the time limits set forth in this subdivision shall be tolled for 60 days.* ~~of if~~ *If* the committee ~~knows~~ *has been informed in writing by a law enforcement agency* that the complaint is being investigated by ~~a law enforcement agency~~ *it*, the time limits set forth in this subdivision shall be tolled until the investigation is completed. *The Fair Political Practices Commission is not a law enforcement agency within the meaning of this subdivision.*

(e) The committee's determination under subdivision *(a)*, (b) or (c) shall be stated in writing, with reasons given therefor, and shall be provided to the house in which the respondent serves, the Attorney General, the Fair Political Practices Commission, and the district attorney of the county in which the alleged violation occurred. The written determination provided pursuant to this subdivision is a public record and open to public inspection.

(f) Any deliberations of the committee from the time of receipt of a complaint until it decides to dismiss the complaint or to set a hearing shall not be open to the public unless the respondent requests a public meeting.

(g) The disposition of every complaint received by the committee shall be summarized and included in the annual report prepared by the committee pursuant to section 8940.03 hereof.

SECTION 22. Government Code Section 8955 is amended to read as follows:

8955. *(a)* The committee may render advisory opinions to Members of the Legislature with respect to the provisions of Article 2 (commencing with Section 8920) and their application and construction. The committee may secure an opinion from the Legislative Counsel for this purpose or issue its own opinion.

(b) The committee shall publish in the Journal any advisory opinion issued to a member and make copies of any said opinion available to the public.

SECTION 23 Government Code 9002 is repealed.

~~9002. At the general election in every fourth year after 1908 a Senator shall be elected in each odd-numbered senatorial district. At the general election in every fourth year after 1910 a Senator shall be elected in each even-numbered district.~~

SECTION 24. Government Code Section 9002 is added to read as follows:

9002. Elections shall be held for all Senate seats in the second, sixth and tenth years following the year in which the national census is taken.

SECTION 25. Government Code Section 85401 is added to read as follows:

85401. (a) Notwithstanding Section 85400, no member of the Legislature shall accept any gift or honorarium, directly or indirectly, from any single source that employs, or is an officer, director, employee or agent of an organization that

employs, a lobbyist or lobbying firm for the purpose of influencing legislative or administrative action. A payment or reimbursement for actual travel expenses and reasonable subsistence directly in connection with a speech, article or published work shall not be subject to this limitation.

(b) The provisions of section 81012 herein shall apply to this section.

SECTION 26. Government Code Section 87211 is added to read as follows:

87211. Notwithstanding the exclusions contained in Sections 85400 and 85401 hereof, the statement of a member of the Legislature described in Sections 87202, 87203 and 87204 shall contain the name, address and a general description of the business activity, if any, of each source of any payment, including any reimbursement, for travel expenses and subsistence in connection with any speech, article or published work, and for each such payment, a general description of the speech, article or published work for which the payment was received, the amount and date of each such payment, and the destination or destinations of all such travel The provisions of section 81012 herein shall apply to this section.

SECTION 27. Government Code Section 87406 is added to read as follows:

87406. (a) No former member of the Legislature, for twelve months after leaving office, shall for compensation act as an agent or attorney for, or otherwise represent, any other person before the Legislature or any member or employee thereof, or before any other state agency within the meaning of section 82049 hereof or any employee thereof, by making any formal or informal appearance, or by making any written or oral communication with the intent to influence legislative or administrative action within the meaning of section 82002 hereof.

(b) The prohibition contained in subdivision (a) of this section shall not apply to any member of the Legislature whose term of office or employment concludes prior to the effective date of this initiative.

(c) The prohibition contained in subdivision (a) on this section shall not prevent a former member of the Legislature from receiving payments or reimbursements for travel expenses or subsistence directly in connection with making or providing a statement which is based on the former member's own special knowledge in a particular area that is the subject of the statement.

(d) The provisions of section 81012 herein shall apply to this section

SECTION 28. If any provision of this initiative, or the application of any such provision to any person or circumstance, is held invalid, the remainder of this initiative, or the application of any such provision to other persons or circumstances, to the extent that it reasonably can be given effect, shall not be affected thereby, and to this end the provisions of this initiative are severable.

Number on ballot

119 **Reapportionment by Commission.**

[Submitted by the initiative and rejected by electors June 5, 1990]

PROPOSED LAW

INDEPENDENT CITIZENS REDISTRICTING INITIATIVE

Section One. Findings and Declarations. The people find and declare as follows:

1. Fair reapportionment and redistricting are essential to representative democracy.

2. The fair periodic redrawing of legislative boundary lines promotes competition for elective office, strengthens the political power of voters, and affirms public confidence in government.

3. Districts must not be drawn for the purpose of favoring any political party or incumbent. Permitting legislators to draw or choose their own districts is an inherent conflict of interest which encourages political gerrymandering and discourages competition against incumbents.

4. Openness and accountability in government demand that the process of redistricting be moved from behind the scenes to an open public process implemented by an Independent Citizens Redistricting Commission.

5. Redistricting by the Commission will be completed at half the cost of legislative redistricting, thereby saving the people of this State $3.5 million each time new districts are drawn.

Section Two. Article XXI of the California Constitution is hereby repealed.

~~ARTICLE XXI~~

~~REAPPORTIONMENT OF SENATE, ASSEMBLY, CONGRESSIONAL, AND BOARD OF EQUALIZATION DISTRICTS~~

~~SECTION 1. In the year following the year in which the national census is taken under the direction of Congress at the beginning of each decade, the Legislature shall adjust the boundary lines of the Senatorial, Assembly, Congressional, and Board of Equalization districts in conformance with the following standards:~~

~~(a) Each member of the Senate, Assembly, Congress, and the Board of Equalization shall be elected from a single-member district.~~

~~(b) The population of all districts of a particular type shall be reasonably equal.~~

~~(c) Every district shall be contiguous.~~

~~(d) Districts of each type shall be numbered consecutively commencing at the northern boundary of the state and ending at the southern boundary.~~

~~(e) The geographical integrity of any city, county, or city and county, or of any geographical region shall be respected to the extent possible without violating the requirements of any other subdivision of this section.~~

Section Three. Section One of Article IV of the California Constitution is hereby amended to read as follows:

~~SEC.~~ 1. *Legislative Power.* The legislative power of this State is vested in the California Legislature , which consists of the Senate and Assembly, but the people reserve to themselves the powers of initiative and referendum. *Notwithstanding the foregoing provision, or any other provision of this Constitution, the legislative power of this State with respect to the redistricting of federal and state legislative districts and State Board of Equalization districts is vested exclusively in the people of the State, to be exercised on their behalf by the Independent Citizens Redistricting Commission established pursuant to Article IV A of this Constitution. To the extent that Section Four of Article 1 of the United States Constitution may require redistricting to be done by the Legislature, the Independent Citizens Redistricting Commission shall be deemed to be the Legislature of this State for this purpose.*

Section Four. Article IV A is hereby added to the Constitution of the State of California, to read as follows:

ARTICLE IV A
REDISTRICTING

1. Purpose and Intent. It is the intent of the people of the State of California to create state legislative and Board of Equalization districts and federal legislative districts which conform to the one-person, one-vote principle, which provide fair and effective representation for all residents of the State, including racial and ethnic minorities, and which maintain identifiable communities of interest. The people further intend to redistrict in an open, public and timely manner and to create districts that are not drawn with the intent to favor any political party or incumbent.

2. Redistricting Authority; Amendment. Except as otherwise provided in this Article, the exclusive authority to determine the boundaries of districts for the California State Senate, Assembly, and Board of Equalization, and for the United States House of Representatives for the State of California, is vested in the Independent Citizens Redistricting Commission established by this Article. No elected official, nor any body of elected representatives of the voters of this State, shall be vested with any power to design, alter, adopt, or implement any other plan to redistrict federal or state legislative districts or State Board of Equalization districts, and any such plan shall be void. The Legislature may place an initiative measure on the ballot for the purpose of amending this Article or Division 18 of the Elections Code only by enacting an urgency statute in accordance with Section 8 of Article IV of the California Constitution.

3 Creation of Commission. There is hereby established the Independent Citizens Redistricting Commission, hereinafter called "the Commission", which shall be generally representative of the geographic, gender, racial, and ethnic diversity of the State and in which shall be vested the sole and exclusive power, except as otherwise provided in this Article, to determine electoral district boundaries for the California State Senate, Assembly, and Board of Equalization, and for the United States House of Representatives for the State of California. Members of the Commission, hereinafter called "Commissioners," shall be chosen for the term of the Commission during the year following the year of the federal decennial census, or as otherwise provided in this Article. A replacement Commission shall be appointed if a Commission shall fail to adopt any plan for redistricting.

4. Selection of Commissioners. During the year following each decennial year, the Secretary of State shall prepare a list of the names of persons nominated to serve as Commissioners which names shall have been submitted by nonpartisan, nonprofit public interest organizations in the State of California. From this list, a panel of three retired appellate court justices appointed by the California Judicial Council, shall appoint a bipartisan Commission of twelve men and women and a like group of alternates. Public officials and their staffs, officials of any political party and their employees, family members of all such officials in the first or second degree of lineal or collateral consanguinity or persons who have been convicted of malfeasance in office or of a felony, and whose civil rights have not been restored, shall be ineligible to serve on the Commission. Nominees may also be rejected for cause or by peremptory challenge as provided by Elections Code Section 30003 or its successor.

5. Duties of Commission. Any registered voter of the State of California, except any justice, Commissioner, alternate, nominee, the Commission's special

master, Commission employee, or justices' employee may prepare and submit one plan to redistrict the United States House of Representatives for the State of California, or one plan to redistrict the California Senate, Assembly, and Board of Equalization, or both. The Commission shall select from among submitted plans one plan to redistrict the U.S. House of Representatives for the State of California and one plan to redistrict the California Senate, Assembly, and Board of Equalization which best comply with the standards set forth in this Article. Notwithstanding any other provision of this Article, the Commission may amend submitted plans in order to, and only to the extent necessary to, bring such plans into compliance with the standards set forth in this Article

6. Standards for Plans.

(a) The Commission shall initially review all plans but shall consider and evaluate only those plans which are accompanied by maps and by supporting documentation as to population, minority composition, and party registration for each district and such other documentation as the justices or the Commission may require and which comply with all the following standards:

(1) Districts shall be single member. California Assembly and United States House of Representatives districts shall be as equal in population as practicable, shall not deviate from standards established by federal statutory and case law, and in no event shall vary in population by more than one percent from the average district population.

(2) Plans shall provide fair and effective representation for all people of the State. Districts shall be drawn in accordance with all standards mandated by federal and California law and shall neither disperse nor concentrate minority populations in a manner that has an adverse effect on their political influence;

(3) Each state Senate district shall be composed of two adjacent Assembly districts and each Board of Equalization district shall be composed of ten adjacent Senate districts;

(4) Districts shall be comprised of contiguous territory Populous adjacent territory shall not be bypassed to reach distant populous areas

(b) From among plans that comply with the standards of subdivision (a) of this Section, the Commission shall select the plans which most nearly comply with the additional following standards, giving them priority in the order listed.

(1) In order to ensure that district lines respect regional mountain barriers, no district may cross the following common county boundaries. Alameda and San Joaquin; Santa Clara and Stanislaus, Santa Clara and Merced, San Benito and Merced, San Benito and Fresno, Monterey and Fresno; Monterey and Kings; San Luis Obispo and Kern; Santa Barbara and Kern, Ventura and Kern

(2) Except as prohibited in subsection (1) of this subdivision, only one district of each type may cross a particular common boundary between two counties. No district may cross a county boundary more than once No county may contain fragments of more than two districts of each type.

(3) District boundaries shall not be drawn to fragment incorporated cities. For purposes of subsections (3), (4), and (5), the following definitions shall apply.

(a) "City" shall mean (1) all of the area and population contained within the exterior incorporated boundary of a city or town plus all the area and population of unincorporated areas or additional cities completely surrounded by that original city, or (2) where possible, that city's "sphere of influence" as defined by the appropriate Local Agency Formation Commission. Non-contiguous portions of a city, detached from the largest portion of that city, shall not be considered within that city for purposes of applying this criterion.

(b) A city fragment is a populated portion of a city in a district which also includes territory outside of the exterior boundary of that city.

(4) For State Assembly and U.S. House of Representatives districts, the total number of any one city's fragments may not exceed one more than the number calculated by dividing that city's population by the ideal district population and rounding the quotient to the nearest whole number.

(5) No district may contain more than two city fragments.

(6) Each Assembly and Congressional district shall contain no less than 60 percent of the population which would be contained in a polygon with the shortest possible perimeter drawn around that Assembly or Congressional district. The average of all such percentages for all districts of a type shall not be less than 72 percent. For purposes of computing such percentages, the total population of any geographic census block or enumeration district shall be deemed to be within a given polygon or Assembly or Congressional district if the block's or enumeration district's geographic center falls within the polygon or Assembly or Congressional district. The islands off the coast of the state shall not be included in these calculations.

(7) To the extent permitted by the foregoing standards, the greatest possible number of districts should be competitive A district shall be deemed "competitive" if the registration within the district of each of the state's two largest political parties is no greater than two percentage points above or below that party's registration in the state as a whole, as defined by the most recent published report of registration issued by the Secretary of State.

(8) Census blocks shall not be divided except to follow city limit boundaries

(c) New districts shall be consecutively numbered from North to South. In order to eliminate a lapse of Senate representation because of district numbering, elections shall be held for all state Senate seats in 1992. Following said election, all even-numbered state Senate seats will have one two-year term, and odd-numbered seats will have a four-year term. Thereafter, all Senate seats will have four-year terms until the next decennial redistricting. Elections shall again be held for all state Senate seats in 2002. Following this election, all odd-numbered seats will have one two-year term, while even-numbered seats will have a four-year term. Thereafter, all Senate seats will have four-year terms until the next decennial redistricting. The two-year term will continue to alternate between even-numbered and odd-numbered districts after each decennial census.

7. Appropriations; Disclosure in State Budget. The Legislature shall not appropriate or spend funds for legislative redistricting or for any other activity related to redistricting except as required for the support of the Commission.

8 Referendum and Judicial Review. Any redistricting plan adopted by the Commission shall be deemed a statute of this state and shall be subject to referendum pursuant to the procedures applicable to a statute of this state. Notwithstanding any other provision of this Constitution, districts created by such a plan shall be used for any election held pending such a referendum, and for any general election, if such districts were used during the preceeding primary for the purpose of selecting candidates for the general election. Notwithstanding any other provision of this Constitution, the date of enactment of each plan shall be the date of filing with the Secretary of State. On the date of enactment of each Congressional redistricting plan, the previous Congressional plan shall be repealed; and on the date of enactment of each California Senate, Assembly, and Board of Equalization plan, the previous California Senate, Assembly, and Board of Equalization plan shall be repealed.

The California Supreme Court shall have original and exclusive jurisdiction to review legal challenges to the redistricting plans adopted by the Commission. If the Commission and a replacement Commission shall both fail to adopt any plan, the California Supreme Court shall adopt such a plan, consistent with this Article, within 60 days after the deadline for adoption of such plan by the replacement commission.

Section Five. Section 2 of Article IV of the California Constitution is hereby amended to read as follows:

~~SEC. 2.~~ (a) The Senate has a membership of 40 Senators elected for *a 2-year or* 4-year ~~terms, 20 to begin every 2 years.~~ *term, as provided in Section 6 of Article IV A of this Constitution.* The Assembly has a membership of 80 members elected for 2-year terms. Their terms shall commence on the first Monday in December next following their election.

(b) Election of members of the Assembly shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as members of the Assembly.

(c) A person is ineligible to be a member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election.

(d) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

Section Six. Division 18 of the Elections Code is hereby repealed effective January 1, 1992, with the exception of Sections 30011, 30022, and 30040 through 30044, which Sections shall remain in effect until and be repealed upon the date of enactment of the first California Senate, Assembly and Board of Equalization plan adopted by the Commission, and with the exception of Section 30032, which shall remain in effect until and be repealed upon the date of enactment of the first U.S. Congressional redistricting plan adopted by the Commission.

~~DIVISION 18. LEGISLATIVE, CONGRESSIONAL, AND EQUALIZATION DISTRICTS~~

~~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.~~

~~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 11, 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 1542; Partial Census Tracts: CT 1512.01 / That portion contained within the following blocks: 101, 102, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 120, 123, 132, 201, 202, 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 104 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: 102, 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 41.01, CT 41.02, 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 600. 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 As/sembly 11. CT 3551.01 / That portion contained within the City of Anti/och. 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 Dis/trict 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: 101, 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 1001, CT 1002, CT 1003, CT 1004, CT 1011, CT 1012, CT 1038, CT 1039, CT 1040, CT 1041, CT 1042, CT 1043, CT 1044, CT 1045, CT 1046, CT 1047, CT 1048, CT 1049, CT 1050, CT 1051, CT 1201, CT 1202, CT 1203, CT 1204, CT 1205, CT 1206, CT 1211, CT 1212, CT 1213, CT 1214, CT 1215, CT 1216, CT 1217, CT 1218, CT 1219, CT 1220, CT 1221, CT 1222, CT 1223, CT 1224, CT 1225, CT 1226, CT 1227, CT 1228, CT 1229, CT 1230, CT 1231, CT 1232, CT 1233, CT 1234, CT 1235, CT 1236, CT 1237, CT 1238, CT 1239, CT 1240, CT 1261, CT 1262; Partial Census Tract: CT 1080 / 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: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 214, and 215. CT 3273 / 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 3281 / 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 3282.01 / 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 1005, CT 1006, CT 1007, CT 1008, CT 1009, CT 1010, CT 1013, CT 1014, CT 1015, CT 1016, CT 1017, CT 1017.99, CT 1018, CT 1019, CT 1019.99, CT 1020, CT 1021, CT 1022, CT 1023, CT 1024, CT 1025, CT 1026, CT 1027, CT 1028, CT 1029, CT 1030, CT 1031, CT 1032, CT 1032.99, CT 1033, CT 1034, CT 1035, CT 1036, CT 1037, CT 1052, CT 1053, CT 1054, CT 1055, CT 1056, CT 1057, CT 1058, CT 1059, CT 1060, CT 1061, CT 1062, CT 1063, CT 1064, CT 1065, CT 1066, CT 1067, CT 1068, CT 1069, CT 1070, CT 1071, CT 1072, CT 1073, CT 1074, CT 1075,

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 4091, 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 3520.01, 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 201.01, CT 201.02, CT 202, CT 205, CT 210, CT 212, CT 213, CT 214, CT 101, CT 102, CT 126, CT 127, CT 128, CT 176, CT 177, CT 178, CT 179, 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 306.~~

~~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 4101, CT 4102, CT 4103.01, CT 4103.02, CT 4103.03, CT 4103.04, CT 4103.05, CT 4103.06, CT 4103.07, CT 4103.08, CT 4103.09, CT 4111, CT 4112, CT 4113, CT 4114, CT 4115, CT 4116, CT 4117, CT 4118, CT 4119.01, CT 4119.02, CT 4120, CT 4121, CT 4122, CT 4123, CT 4124, CT 4125, CT 4126, CT 4127, CT 4128, CT 4129, CT 4130, CT 4131, CT 4132, CT 4133, CT 4141, CT 4142, CT 4143, CT 4144, CT 4145, CT 4146, 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 5043.01, 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, 222, 223, and 225. 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, 412, 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 5061.02 / That portion not contained in Assembly District 22. 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, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, and 322. 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,~~

~~122, 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, 130, 142, 143, 144, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210 and 211. CT 5023 / That portion contained within the following blocks: 211, 212, 213, 105, 106, 107, 108, 109, 110, 111, 112, 113, and 114. 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: 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, and 117. CT 5035.03 / That portion contained within the following blocks: 305, 312, 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: 103, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 701, 702, 703, 704, 705, 706, 707, 708, 719, 720, 721, 722, 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, 324, 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, 260. 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 122 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 125.00, 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 122 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: 101, 102, 103, 104, 105, 106, 107, 108, 115, 116, 118, 119, 120, 121, 136, 137, 138, 139, 141, and 142. 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 104; together with the parts of Enumeration Districts 102 and 103 west of Clovis Avenue. CT 23 / That portion contained within the following blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 227, 228, 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: 112, 113, 114, 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 361 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, 201, 202, 203, 204, 205, 206, 207, 208, and 209. 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 2, 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 with/ in 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 fol/ lowing 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 1123.01, CT 1124.01, CT 1124.02, 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 2001, 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 2005 / That portion not contained within the City of LaCanada/Flintridge or the City of Glendale. CT 2104 / That portion not contained within Assembly District 45. CT 2106 / All except that portion contained in Assembly District 45. CT 2107 / All except that portion contained in Assembly District 45. CT 2108 / All except that portion contained in Assembly District 45. CT 2109 / All except that portion contained in Assembly District 45. CT 2114 / All except that portion contained in Assembly District 45. CT 2117 / All except that portion contained in Assembly District 45. CT 2118 / All except that portion contained in Assembly District 45. CT 8002 / All except blocks 200, 210, 211, 902, and 980. 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 2201, CT 2202, CT 2203, 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, 240, 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, 432, 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 with/in the following Blocks: 213, 214, 215, and 218; together with that part of Block 217 located north and west of Hemmingway Street with the west/ern 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 con/tained 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, 212, 213, and 214. CT 1396 / That portion contained within the fol/lowing 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 1600, CT 1601, CT 1602, CT 1603, CT 1605.01, CT 1605.02, CT 1606, CT 1607, CT 1610, CT 1611, CT 1612, CT 1613, CT 1624, CT 1625, CT 1626, CT 1627, CT 1628, CT 1629, CT 1630, CT 1631.02, CT 1632, CT 1634, CT 1635, CT 1636, CT 1637, CT 1640; 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 port_n not contained in Assembly District 55. CT 3005 / That portion contained within the City of Glendale and the City of La Canada Flintridge. CT 1614 / That portion not contained in Assembly District 55. CT 1617 / That portion not contained in Assembly District 55. CT 1619 / That portion not contained in Assembly District 55. CT 1622 / That portion not contained in Assembly District 55. CT 1623 / That portion not contained in Assembly District 55. CT 1639 / 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 1006, CT 1039.02, CT 1040, CT 1041, CT 1042, CT 1043, CT 1044, CT 1045, CT 1046, CT 1300.01, CT 1300.02, CT 1301.01, CT 1301.02, CT 1302, CT 1303, CT 1304, CT 1305.01, CT 1305.02, CT 1306, CT 1307.01, CT 1307.21, CT 1307.22, CT 1308.01, CT 1308.02, CT 1308.03, CT 1309, CT 1310, CT 1311, CT 1312, CT 1313, CT 1314, CT 1316, CT 1317, CT 1318, CT 1319, CT 1320, CT 1631.01, CT 1633, CT 1641, CT 1642, CT 1800.01, CT 1800.02, CT 1801.01, CT 1801.02, CT 1802, CT 1805, CT 1806, CT 1807.01, CT 1807.02, CT 1811, CT 1812.01, CT 1812.02, CT 1814, CT 1823.01; Partial Census Tracts: CT 1315 / That portion not contained within Assembly District 60. CT 1321.01 / That portion not contained within Assembly District 60. CT 1321.02 / That portion not contained within Assembly District 60. CT 1323 / That portion contained within the City of Temple City. CT 1008 / That portion not contained within the City of Glendora. CT 1009 / That portion not contained within the City of Glendora. CT 1039.01 / That portion not contained wtihin the City of Glendora. CT 1058 / That portion not contained within the City of Covina. CT 1059 / 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 1244.02 / That portion contained within the following blocks: 202,

~~203, 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 10. CT 1396 / That portion not contained in Assembly District 10. CT 1433 / That portion not contained in Assembly District 10. CT 1434.01 / That portion not contained in Assembly District 10. CT 1435 / That portion not contained in Assembly District 10. CT 2628 / That portion not contained in Assembly District 11. CT 2673 / That portion not contained in Assembly District 11. CT 2674.01 / That portion not contained in Assembly District 11. 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 11. CT 7004 / That portion not contained in Assembly District 15.~~

~~Assembly District 11. Assembly District 11 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 15. 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 2613.02 / That portion not contained in Assembly District 15. 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 15. 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 15. Assembly District 15 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 2162, 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, 501, 506, 507, 508, 509, 510, and 511. CT 1905 / That portion not contained in Assembly District 16. 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 16. Assembly District 16 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 5109.01, CT 5109.02, CT 5110.01, 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, 107, 108, and 109. 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 with/ in 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 18. 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 2215 / 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 5313 / 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, 3 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 2044, CT 2045, CT 2046, CT 2047, CT 2047.99, CT 2048, CT 2049, CT 2049.99, CT 2051, CT 2051.99, CT 2061,

~~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 5756.90, 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 5340 / That portion contained within the City of Long Beach. CT 5705 / 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, 108, 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, 902, 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 1047, CT 1048, CT 1049, CT 1050, CT 1051, CT 1052, CT 1053, CT 1055, CT 1056, CT 1067, CT 1068, CT 1069, CT 1070, CT 1071.01, CT 1071.02, CT 1072, CT 1073, CT 1074, CT 1075, CT 1076, CT 1077, CT 1078, CT 1083.01, CT 1083.03, CT 1322, CT 1324, CT 1325, CT 1326, CT 1327, CT 1328, CT 1329, CT 1332, CT 1333, CT 1336.01, CT 1336.02, CT 1813, CT 1822.02, CT 1824.01, CT 1825.01; Partial Census Tracts: CT 1033.02 / That portion contained within the following blocks: 907, 908, 910, 920, and 931. CT 1054 / 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 1057 / That portion contained within the following blocks: 304, 305, 307, 308, 309, 311, 312, 402, 403, 404, 405, 407, and 408. CT 1062 / 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 1065 / That portion contained within Blocks 404, 406, 407, 408, 409, 410, 501, 502, 503, 504, 508, 509, and 510. CT 1079 / 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 1082.01 / That portion contained within the City of Industry together with the unincorporated land in Blocks 105 and 166. CT 1082.02 / 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 1083.02 / 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 1315 / That portion contained within the City of El Monte. CT 1321.01 / That portion contained within the following blocks: 112, 113, 212 within the City of El Monte. CT 1321.02 / That portion contained in the City of El Monte. CT 1323 / That portion not contained in Assembly District 42. CT 1331 / That portion not contained in Assembly District 59. CT 1334 / That portion contained in the City of El Monte. CT 1335 / That portion contained within the following blocks: 301 and 302 together with that portion of Blocks 107, 206, 208, 403, 406, 409 in the City of El Monte. CT 1338 / That portion contained in the City of El Monte. CT 1339 / 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 1340 / That portion not contained in Assembly District 59. CT 1821.02 / That portion contained within the City of Rosemead together with the unincorporated land in Blocks 202, 204, 205, 215, and 217. CT 1825.02 / 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 1002.01, CT 1002.02, CT 1003, CT 1004.01, CT 1004.02, CT 1005, CT 1010.01, CT 1010.02, CT 1011.01, CT 1011.02, CT 1012.01, CT 1012.02, CT 1012.03, CT 1013.02, CT 1013.11, CT 1013.12, CT 1015, CT 1016, CT 1018, CT 1019.01, CT 1019.02, CT 1020, CT 1023.02, CT 1024.01, CT 1024.02, CT 1024.03, CT 1024.04, CT 1025.01, CT 1025.02, CT 1029.01, CT 1029.02, CT 1030, CT 1032, CT 1035, CT 1036, CT 1037.01, CT 1037.21, CT 1037.22, CT 1038, CT 1060, CT 1061.01, CT 1061.02, CT 1063, CT 1064.01, CT 1064.02, CT 1066.01, CT 1066.02, CT 1088, CT 9300, CT 1023.01; Partial Census Tracts: CT 1008 / That portion

not contained in Assembly District 42. GT 4009 / That portion not contained in Assembly District 42. GT 4039.01 / That portion not contained in Assembly District 42. GT 4057 / That portion not contained in Assembly District 60. GT 4058 / That portion not contained in Assembly District 42. GT 4059 / That portion not contained in Assembly District 42. GT 4054 / That portion within the City of Covina. GT 4017.01 / That portion not within Assembly District 65. GT 4062 / That portion not contained within Assembly District 60. GT 4065 / That portion not contained within Assembly District 60. GT 4080.01 / That portion contained within the following blocks: 101/104, and 106. GT 4021.01 / That portion not contained within Assembly District 65. GT 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: GT 8.01, GT 8.03, GT 9, Partial Census Tracts: GT 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: GT 5027, GT 5028, GT 5029.01, GT 5030, GT 5031.02, GT 5041.02, GT 5500, GT 5501, GT 5502, GT 5503, GT 5504, GT 5505, GT 5506, GT 5507, GT 5508, GT 5509, GT 5510, GT 5511, GT 5512, GT 5513, GT 5514, GT 5515, GT 5516, GT 5517, GT 5518, GT 5519, GT 5520, GT 5521, GT 5522, GT 5523, GT 5524, GT 5526, GT 5527, GT 5528, GT 5529, GT 5530, GT 5534, GT 5545.11, GT 5545.12, GT 5545.13, GT 5545.14, GT 5545.15, GT 5545.16, GT 5545.17, GT 5545.18, GT 5545.19, GT 5545.21, GT 5545.22, GT 5546, GT 5547, GT 5548.01, GT 5548.02, GT 5549, GT 5551.01, GT 5551.02, GT 5552.01; Partial Census Tracts: GT 5020.01 / That portion contained within the following blocks: 304, 305, 306, 307, and 308. GT 5021 / That portion contained within the following blocks: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 300, and 311. GT 5022 / That portion within the City of Santa Fe Springs. GT 5023 / That portion contained within the City of Santa Fe Springs. GT 5029.02 / That portion not contained in Assembly District 59. GT 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. GT 5032.01 / That portion contained within the following blocks: 203, 204, 205, 206, 301, and 315. GT 5032.02 / That portion contained within the following blocks: 119, 120, 121, 203, 205, 206, 208, 213, and 214. GT 5041.01 / That portion in the City of Santa Fe Springs. GT 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: GT 11.01, GT 11.02, GT 11.03, GT 12, GT 13.01, GT 13.02, GT 14.01, GT 14.02, GT 14.03, GT 14.04, GT 15.01, GT 15.02, GT 15.03, GT 15.04, GT 15.05, GT 16.01, GT 16.02, GT 17.01, GT 17.02, GT 18.02, GT 19.01, GT 19.02, GT 19.03, GT 110, GT 111.01, GT 111.02, GT 112, GT 113, GT 114.01, GT 114.02, GT 115.01, GT 115.02, GT 116.01, GT 116.02, GT 117.07, GT 117.08, GT 117.09, GT 117.10, GT 117.11, GT 117.12, GT 117.13, GT 117.14, GT 117.15, GT 117.16, GT 218.13, GT 219.03, GT 863.04, GT 863.05, GT 864.02, GT 864.04, GT 864.05, GT 864.06, GT 864.07, GT 866.01, GT 866.02, GT 867.01, GT 867.02, GT 868.02, GT 871.02, GT 1106.05; Partial Census Tracts: GT 18.01 / That portion contained within the City of Fullerton. GT 117.17 / That portion contained within the City of Placentia. GT 117.18 / That portion contained within the City of Placentia. GT 218.05 / That portion not contained within the City of Yorba Linda. GT 218.09 / That portion contained within the City of Placentia. GT

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 1017.02, CT 1021.02, CT 1022, CT 1026, CT 1027.01, CT 1027.02, CT 1028; Partial Census Tracts: CT 1021.01 / That portion west of San Antonio Street. CT 1017.01 / 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, 205, 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 Rico 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 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 877.02, 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 741.01 / 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 741.03 / 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: 102, 105, 113, 115, 116, 117, 118, 119, 120, and 121. 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, 113, 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 cen/sus 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 con/tained 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, 100, 901, 904, 905, 906, 907, 908, 914, 915, 916, 917, 918, and 919; and together with that portion contained within Enumeration Dis/trict 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 219, 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 200.01, 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 441 / 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 with/ in 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, 142, 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, 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 27.01, 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 110, 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.~~

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 1513.01, 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 11.01 through 16.01/Those portions of 11.01, 11.02, 15 and 16.01 located outside the boundaries of the City of Sacramento. CT 16.02. CT 17 / That portion of CT 17 located outside the boundaries of the City of Sacramento. CT 18 / That portion of CT 18 located outside the boundaries of the City of Sacramento. CT 19.01 / That portion of CT 19.01 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 13. CT 11.01 through 16.01/Those portions of CT 11.01, 11.02, 15 and 16.01 located within the city limits of the City of Sacramento. CT 17 / That portion of CT 17 located within the city limits of the City of Sacramento. CT 18 / That portion of CT 18 located within the city limits of the City of Sacramento. CT 19.01 / That portion of CT 19.01 located within the city limits of the City of Sacramento. CT 19.02. 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 con/~~

tained 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 Dis/ trict 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 1 / 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 High/ way), 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 northeast/erly 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 1002.01 through 1017.01; except those portions of CT 1013.02 and CT 1017.01 located within the city limits of the City of Pomona. CTs 1018 through 1020. CT 1036 / That portion located within the city limits of the City of San Dimas. CTs 1037.01 through 1045. CT 1054 / That portion located within the city limits of the City of Covina. CTs 1057 through 1061.02. 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 1016 through 1047. CT 1048, except that portion located within the boundaries of the City of West Covina. CTs 1049 through 1052. CTs 1069 through 1073, except that portion of CT 1069 located within the city limits of the City of West Covina. CTs 1075 through 1079, except that portion of CT 1079 located within the city limits of the City of West Covina. CT 1081.32. CTs 1082.02 through 1084.01. CT 1084.02 / That portion located within the boundaries of Rose Hills Memorial Park. CTs 1085.01 through 1085.02. CT 1086.01. CTs 1086.23 through 1086.24. CT 1312, except that portion located within the boundaries of the City of Monrovia. CTs 1321.01 through 1321.02 / Those portions located within the city limits of the City of El Monte. CTs 1322 through 1340, except those portions of CT 1323 located within the city limits of the City of Temple City and except those portions of CT 1325 located within the City limits of the City of Areadia. CT 1800.02 / That portion located within the city limits of the city of San Gabriel. CTs 1801.02 through 1804. CTs 1808.01 through 1811. CTs 1812.02 through 1828. 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 2261 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 2361. 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 2113. CTs 2121 through 2122. CTs 2128 through 2131. 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 320.00, except that portion contained within the city limits of the City of San Juan Capis/trano. 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 11.04. 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 880.04 through 880.05. 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 442. 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 996.02. CTs 998.01 through 998.02. 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 con/

~~tained 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 200.01 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 141. CT 146 / That portion located in the city limits of the City of Lemon Grove.~~

~~Chapter 1. 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 209. 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, CT 34, CT 35.01, CT 35.02, CT 36, CT 37, CT 38, CT 39, CT 40.01, CT 40.02, CT 40.03, CT 41, CT 42.01, CT 42.02, CT 42.03, CT 43, CT 44.01, CT 44.02, CT 45, CT 46.01, CT 46.02, CT 47, CT 48, CT 49.01, CT 49.02, CT 50, CT 51, CT 52.01, CT 52.02, 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 1513.01 / 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 1.~~

~~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 1001, CT 1002, CT 1003, CT 1004, CT 1005, CT 1006, CT 1007, CT 1008, CT 1009, CT 1010, CT 1011, CT 1012, CT 1013, CT 1014, CT 1015, CT 1016, CT 1017, CT 1017.99, CT 1018, CT 1019, CT 1019.99, CT 1020, CT 1021, CT 1022, CT 1023, CT 1024, CT 1025, CT 1026, CT 1027, CT 1028, CT 1029, CT 1030, CT 1031, CT 1032, CT 1032.99, CT 1033, CT 1034, CT 1035, CT 1036, CT 1037, CT 1038, CT 1039, CT 1040, CT 1041, CT 1042, CT 1043, CT 1044, CT 1045, CT 1046, CT 1047, CT 1048, CT 1049, CT 1050, CT 1051, CT 1052, CT 1053, CT 1054, CT 1055, CT 1056, CT 1057, CT 1058, CT 1059, CT 1060, CT 1061, CT 1062, CT 1063, CT 1064, CT 1065, CT 1067, CT 1068, CT 1069, CT 1073, CT 1078, CT 1079, CT 1080, CT 1081, CT 1088, CT 1089, CT 1091, CT 1092, CT 1093, CT 1094, CT 1095, CT 1096, CT 1102, CT 1103, CT 1104, CT 1201, CT 1202, CT 1203, CT 1204, CT 1205, CT 1206, CT 1211, CT 1212, CT 1213, CT 1214, CT 1215, CT 1216, CT 1217,~~

~~CT 1218, CT 1219, CT 1220, CT 1221, CT 1222, CT 1223, CT 1224, CT 1225, CT 1226, CT 1227, CT 1228, CT 1229, CT 1230, CT 1231, CT 1232, CT 1233, CT 1234, CT 1235, CT 1236, CT 1237, CT 1238, CT 1239, CT 1240, CT 1251, CT 1261, CT 1262, Partial Census Tracts: CT 1066 / All except blocks 203, 204, and 205 and Block Group 1 excluding blocks 101, 102, 103, 104, and 105. CT 1090 / 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 1070, CT 1071, CT 1072, CT 1074, CT 1075, CT 1076, CT 1077, CT 1082, CT 1083, CT 1084, CT 1085, CT 1086, CT 1087, CT 1097, CT 1098, CT 1099, CT 1100, CT 1101, CT 1271, CT 1272, CT 1272.99, CT 1273, CT 1273.99, CT 1274, CT 1274.99, CT 1275, CT 1275.99, CT 1276, CT 1277, CT 1278, CT 1279, CT 1280, CT 1281, CT 1282, CT 1283, CT 1284, CT 1285, CT 1286, CT 1301, CT 1302, CT 1303, CT 1304, CT 1305, CT 1306, CT 1307, CT 1308, CT 1309, CT 1310, CT 1311, CT 1312, CT 1321, CT 1322, CT 1323, CT 1324, CT 1325, CT 1326, CT 1327, CT 1328, CT 1329, CT 1330, CT 1331, CT 1332, CT 1333, CT 1334, CT 1335, CT 1336, CT 1337, CT 1338, CT 1339, CT 1340, CT 1351, CT 1352, CT 1353, CT 1354, CT 1355, CT 1356, CT 1357, CT 1358, CT 1359, CT 1360, CT 1361, CT 1362, CT 1363, CT 1364, CT 1365, CT 1366, CT 1367, CT 1368, CT 1369, CT 1370, CT 1371, CT 1372, CT 1373, CT 1374, CT 1375, CT 1376, CT 1377, CT 1378, CT 1379, CT 1380, CT 1381, CT 1382, CT 1383, CT 1384, CT 1402, CT 1403.01, CT 1403.02, CT 1403.03, CT 1403.05, CT 1501, CT 1502, CT 1503, CT 1504, CT 1505, CT 1506.01, CT 1506.02, CT 1506.03, CT 1506.04, CT 1506.05, CT 1506.06, CT 1506.07, CT 1507.01, CT 1507.02, CT 1507.03, CT 1507.04, CT 1511, CT 1512, CT 1513, CT 1514, CT 1515, CT 1516, CT 1517, Partial Census Tracts: CT 1066 / That portion not contained in Congressional District 8. CT 1090 / That portion west of Doolittle Drive. CT 1402.01 / Blocks 302, 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 542. CT 1212 / Portions in the City of Scotts Valley. together with the part of Santa Clara County not contained in Congressional District 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 5033.00, 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 5066.02, 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 125. 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 103 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 118, 119, 122, 123, 124, 126, 127, 130, and 131. 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 1314.01 / Blocks 105, 106, 107, 109, 110, 111, 112, 113, 201, 202, 203, 204, 205, 206, 207, 222, 223, 224, and 932. CT 1314.02 / 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 1 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 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 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 1 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 5302, 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 1071 / Portions not in Congressional District 24. CT 1072 / 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 Dis/ trict 22. CT 4634 / Portions not in Congressional District 22. CT 5304 / Portions not in Congressional District 30. CT 5313 / Portions not in Con/ gressional 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 1005, 1008, 1012, 1013, 1014, 1005, 1007, 1008, 1017, 1018, 1022, 1023, 1024, 1025, 1026, 1027, and 1028. 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 3. 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, 107, 109, 110, 111, and 112. CT 1283.01 / Portions not in Congressional District 23. CT 1285 / Portions not in Congressional Dis/ trict 23. CT 1287.01 / Block Group 1. CT 1305 / 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 / These portions not in Congressional District 29. CT 2316 / These 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 1 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, 201, and 212. CT 2316 / Block groups 1, 2, and 3, and blocks 501, 502, and 503. CT 2266 / Blocks 207 and 212. 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 38.~~

~~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 1041, CT 1042, CT 1044, CT 1045, CT 1046, CT 1222, CT 1224, CT 1226, CT 1227, CT 1228, CT 1229, CT 1232, CT 1236.01, CT 1236.02, CT 1802, CT 1803, CT 1804, CT 1808.01, CT 1808.02, CT 1809, CT 1810, CT 1811, CT 1812.02, CT 1813, CT 1814, CT 1815, CT 1816.01, CT 1816.02, CT 1817.01, CT 1817.02, CT 1818, CT 1819.01, CT 1819.02, CT 1820.01, CT 1820.02, CT 1821.01, CT 1821.02, CT 1822, CT 1823.01, CT 1823.02, CT 1824.01, CT 1824.02, CT 1825.01, CT 1825.02, CT 1826, CT 1827, CT 1828, 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 1006 / Portions in the City of Azusa. CT 1008 / Portions in the City of Azusa. CT 1039.01 / All except portions in the City of Glendora. CT 1040 / All except portions in the City of Glendora. CT 1042 / Portions in the City of Azusa. CT 1300.01 / Portions in the City of Azusa. CT 1311 / All except portions in the City of Monrovia. CT 1312 / All except portions in the City of Monrovia. CT 1315 / All except portions in the cities of Arcadia and Temple City. CT 1321.01 / Portions in the City of El Monte. CT 1321.02 / Portions in the City of El Monte. CT 1323 / All except por/~~

tions 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 5100, CT 5101.01, CT 5101.02, CT 5102, CT 5103, CT 5104, CT 5105, CT 5106, CT 5107, CT 5108, CT 5109.01, CT 5109.02, CT 5110.01, CT 5110.02, CT 5111, CT 5112, CT 5113, CT 5114, CT 5115, CT 5116.01, CT 5116.02, CT 5117, CT 5118, CT 5120, CT 5121.01, CT 5121.02, CT 5122, CT 5124.01, CT 5124.02, CT 5125, CT 5126, CT 5127, CT 5128, CT 5129, CT 5130, CT 5131, CT 5132, CT 5133.01, CT 5133.02, CT 5133.01, CT 5133.02, CT 5134, CT 5135.01, CT 5135.02, CT 5135.03, CT 5136.01, CT 5136.02, CT 5136.04, CT 5137.01, CT 5137.02, CT 5137.03, CT 5138.01, CT 5138.02, CT 5139.01, CT 5139.02, CT 5532, 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 5501, 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 6009; 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 1 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 1, 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 9100, 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 100, 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 1. 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 71.01, 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 71.02 / 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 883.03, 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 1106.02; Partial Census Tracts: CT 740.03 / All except blocks 209, 210, 211, 213, 214, 235, 242, 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 109. 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 1102.08 / 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 5515.11, CT 5515.12, CT 5515.13, CT 5515.14, CT 5515.15, CT 5515.16, CT 5515.17, CT 5515.18, CT 5515.19, CT 5515.21; Partial Census Tract: CT 5515.22 / 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 862.01 / 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 319. 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 111. 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, 122, 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 42. Congressional District 42 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 183.09, 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 201 / 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, 42, 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 unincor/~~

~~porated portions of blocks 125 and 203. GT 32.07 / All except portions in the City of Chula Vista. GT 100.06 / Blocks 536, 537, 538, 539, 540, 541, 542, and 543. GT 133.05 / All except portions in the City of Chula Vista and the unincorporated portion of block 121 surrounded by the City of Chula Vista. GT 134.01 / All except portions in the City of Chula Vista. GT 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. GT 134.04 / All except portions in the City of Chula Vista. GT 170.12 / Portions in the City of Poway. GT 170.13 / Portions not in Congressional District 41. GT 170.14 / Block Group 1 and blocks 201, 202, 210, and 211. GT 207.01 / Block 201. GT 207.03 / Portions not in Congressional District 43. GT 207.04 / All except those portions in the City of Escondido and the unincorporated portion of blocks 207, 208, 238, 305, and 306.~~

~~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.~~

Section Seven. Division 18, commencing with Section 30000, is hereby added to the Elections Code to read as follows:

Division 18

Independent Citizens Redistricting Commission

30000. Purpose and Intent. The purpose and intent of the people of this State in adopting this Division is identical to that set forth in Section 1 of Article IVA of the California Constitution.

30001. Definitions As used in this Division, the following terms shall have the following meanings, unless it is clear from the context that another meaning should apply

(a) "Commission" shall mean the Independent Citizens Redistricting Commission established pursuant to Article IVA of the California Constitution

(b) "Commissioner" shall mean a person selected by a panel of retired appellate court justices to serve on the Independent Citizens Redistricting Commission.

(c) "Alternate" shall mean a person who has been examined by a panel of retired appellate justices and is eligible to serve on the Independent Citizens Redistricting Commission as a replacement to a Commissioner who is unable to serve.

(d) "Nominee" shall mean any person whose name is submitted by a qualified non-profit, non-partisan public interest organization for consideration for appointment as a Commissioner.

(e) "Justices" or "the justices" shall mean a panel of three retired appellate court justices selected by the California Judicial Council for the purposes indicated in this Division.

(f) "Plan" shall mean a submitted or adopted redistricting proposal either for the United States House of Representatives for the State of California or for the California Assembly, Senate, and Board of Equalization

(g) "Decennial year" shall mean the year 1990 or any tenth year thereafter

30002. Nomination of Commissioners Not later than March 31 of the year following each decennial year, the Secretary of State shall prepare a list of the names of Commissioner nominees submitted in accordance with this Section and shall randomly assign by computer to each such nominee a different consecutive number, commencing with the number one No individual shall be assigned more than one number

(a) Not later than December 31 of each decennial year, the Secretary of State shall notify the public by issuing a press release to the news media and by publishing a notice in every daily newspaper of general circulation in this state, pursuant to Government Code Section 6061, stating that the period for submission of nominations is open. All public interest organizations may nominate a group of exactly 12 registered California voters to be considered for appointment to the Commission All nominees must fulfill the requirements and standards set forth in subdivision (d) of this Section Each nominating organization shall endeavor to nominate a group that is generally representative of the state's population Each twelve nominees shall include five members of each of the two largest political parties in California and two others not registered in either such party. The names of the 12 nominees shall be submitted to the Secretary of State not later than March 1 of the year following the decennial year, on a form which the Secretary of State shall prepare. Said form shall require the disclosure of the name, names of officers and directors, and formation date of the nominating organization as well as the name, description of qualifications relevant to redistricting, political party affiliation and consent of the nominee

(b) For the purposes of this Section, a "public interest organization" shall be defined as any non-partisan, non-profit organization doing business in this State. No political party or other organization which nominates any candidate for public office, and no organization or entity qualified as a political committee pursuant to Government Code Section 82013, shall be eligible to nominate Notwithstanding any other provision of this subdivision, an organization shall not be disqualified from submitting nominations merely because it sponsors a political committee.

(c) If the number of names submitted by organizations pursuant to this Section on or before March 1 of the year following the decennial year shall be less than 300, the Secretary of State shall publish a notice requesting submission of additional names in accordance with the preceding subdivision. Public interest organizations which have previously submitted nominations shall be ineligible to submit such additional names.

(d) All California residents who have registered to vote on or before December 31 of the decennial year are eligible to be nominated to serve on the Commission, except the following.

(1) An elected or appointed public official at any level of federal, state, county, municipal, or special district government, a person who has served as such an official within two years prior to December 31 of the decennial year, the staff of such an official, or a family member of such an official in the first or second degree of lineal or collateral consanguinity, as determined pursuant to Section 252 and 253 of the Probate Code

(2) Elected or appointed officials of any political party, as defined by Division 7 of the California Elections Code, or any committee, subcommittee or other subdivision of such a political party, a person who has served as such an official within two years prior to December 31 of the decennial year, or a family member of such an official or person in the first or second degree of lineal or collateral consanguinity, as determined pursuant to Sections 252 and 253 of the Probate Code.

(3) Persons who have been convicted of malfeasance in office, or of a felony, and whose civil rights have not been restored.

30003. Appointment of Commission. On or before May 31 of the year following each decennial year, the members of the Commission shall be appointed as provided in this section

(a) On or before November 1 of each decennial year, the California Judicial Council shall select by lot three retired justices of the California Courts of Appeal, with their consent, for the purposes set forth in this Division

(1) One justice shall have served on the Court of Appeal for either the First District or the Sixth District

(2) One justice shall have served on the Court of Appeal for either the Second District or the Fourth District.

(3) One justice shall have served on the Court of Appeal for either the Third District or the Fifth District

(4) No more than two of the justices shall have been appointed to the Court of Appeal by the same governor One justice shall be a member of the largest political party in California and one justice shall be a member of the second-largest political party in California.

(5) In the event that any justice selected hereunder shall be unable or unwilling to perform or to continue to perform the duties prescribed herein, the California Judicial Council shall select a replacement justice in accordance with the provisions of this Section.

(b) The Secretary of State shall submit to the justices chosen in accordance with subdivision (a) of this section a list of nominees prepared in accordance with Section 30002.

(c) In a public proceeding, the justices shall summon the first 100 nominees. Commencing in numerical sequence with the first name on the list of nominees, and proceeding thereafter in consecutive numerical order, the justices shall

examine all the summoned nominees under oath Any act of perjury during this examination shall be punishable pursuant to the provisions of Chapter 5 of Title 7 of Part 1 of the Penal Code.

(1) The justices shall excuse any nominee for cause if, as a result of examination, it shall appear that one of the following conditions exists:

(A) The nominee is unqualified or disqualified to serve as a member of the Commission, pursuant to Section 30002.

(B) The nominee, in the opinion of the justices, lacks either a sufficient understanding of redistricting or the mental or physical capacity to adequately perform the duties of a Commissioner.

(C) The nominee, in the opinion of the justices, will be unable to perform the duties of a Commissioner in a reasonably impartial manner due to the nominee's extreme bias in support of or opposition to a political party; provided, however, that mere membership in or support of a political party shall not constitute cause within the meaning of this subdivision.

(D) The nominee has, within one year prior to nomination, amended his or her voter registration for the purpose of changing party affiliations

(2) Upon completion of the examination, the justices shall appoint twelve persons as Commissioners. All remaining nominees who have been examined and who have not been excused for cause shall serve as alternates and shall be eligible to be appointed by the justices to replace any Commissioner who subsequently is removed by peremptory challenge or is otherwise unable to serve or is disqualified from serving

(3) In the event that the justices cannot comply with the appointment process required by subsection (2) of this Section, the justices shall summon successive groups of as many nominees as they shall require from the list compiled by the Secretary of State and proceed in the same manner to examine such persons until the requisite number of twelve Commission appointments are made and there are available remaining alternates

(4) The chairperson of each political party, the candidate for governor of which has received 10% or more of the total vote for governor in the immediately preceding gubernatorial general election, may designate an official representative to attend the examination and appointment proceedings. Immediately following the appointment by the justices of twelve Commissioners, each party representative may exercise a peremptory challenge against not more than two Commissioners, and may thereupon disqualify such persons from serving thereafter as Commissioners or alternates. The justices shall then make appointments from among the alternates to replace such challenged Commissioners.

(d) The men and women of the Commission shall be generally representative of the geographic, gender, racial and ethnic diversity of this state. Five Commissioners shall be members of the largest political party and five Commissioners shall be members of the second largest such political party in this state, as determined by the justices in accordance with voter affiliation statistics provided by the Secretary of State The remaining two Commissioners shall not be members of either such party.

(e) No employer shall discharge, discipline, or otherwise subject any employee to loss of any occupational position or benefit, nor shall any person suffer any loss of any governmental benefit or entitlement, by reason of that person's service as a nominee, Commissioner, or alternate.

(f) Each Commissioner shall be compensated at the rate of $100 for each day they are involved in the conduct of the Commission's business, adjusted in

accordance with the Consumer Price Index for the State of California as reported by the Division of Labor Standards or its successor agency. Each Commissioner shall be reimbursed for reasonable expenses incurred in the conduct of the Commission's business, including lodging, travel and childcare expenses, as determined by the Department of Personnel Administration. The justices and the special master appointed pursuant to Section 30004 of this Division shall be compensated for actual services at the rate prescribed in Section 68201(b) of the Government Code, annually adjusted in accordance with Government Code Section 68203, and pro rated for any partial period, and shall also be reimbursed for reasonable expenses incurred. Nominees summoned for examination by the justices pursuant to this Division shall be reimbursed for reasonable expenses actually incurred, as determined by the Department of Personnel Administration.

(g) The justices shall appoint an alternate to replace any Commissioner who, prior to the disbanding of the Commission, dies, becomes incapacitated or disqualified under the provisions of this Division, or is otherwise unable to perform the duties of a Commissioner

30004. Commission Staff

(a) The justices shall appoint an impartial special master for the Commission The special master shall act as Commission administrator and shall preside in an impartial manner over sessions of the Commission, but shall have no vote in any matter to be decided by the Commission. The special master may be one of the justices, or a person experienced in administration and management The justices may also employ such staff as they shall require until the Commission has been appointed.

(b) The Commission shall employ from among four individuals nominated by the justices an executive director and a deputy executive director. The executive director and deputy executive director shall not be members of the same political party, but must be members of either of the two largest political parties in this state Subject to the approval of a majority of the Commission, the executive director shall employ such staff and consultants and arrange for such meeting and office quarters and other services as may be required by the Commission. The executive director, deputy executive director, and additional Commission staff shall not be subject to the provisions of the Civil Service Act, commencing with Section 18500 of Part 2 of Division 5 of Title 2 of the Government Code.

(c) The special master, the justices' staff members, and the Commission staff members shall be persons who satisfy the same qualifications applicable to a Commissioner, as set forth in Section 30003(c)(1).

30005. Independent Citizens Redistricting Fund. The Independent Citizens Redistricting Fund is created within the State Treasury and is continuously appropriated for carrying out the purposes of this Division. In fiscal year 1990–91, the Legislature shall transfer $3.5 million from its contingency or operating fund into the Independent Citizens Redistricting Fund. No other public moneys shall be appropriated or expended for redistricting. Each decennial fiscal year thereafter, the Legislature shall transfer a like amount to the Independent Citizens Redistricting Fund, adjusted in accordance with the Consumer Price Index for the State of California as reported by the Division of Labor Standards or its successor agency, and reduced by the amount of any unexpended monies previously transferred to said Fund. The Controller shall draw warrants on said Fund no less frequently than monthly for the purposes of paying the expenses of the Commission, as certified by the special master

30006. Meetings; Procedures; Rules and Regulations.

(a) Meetings of the Commission shall be open and public in accordance with the Bagley-Keene Open Meeting Act, commencing with Section 11120 of Chapter 1 of Part 1 of Division 3 of the Government Code.

(b) Except as otherwise provided in this Division, all writings and documents prepared by or for the use of the Commission and Commission staff shall be deemed "public records" within the meaning of Government Code Section 6252. All such public records shall be available for public inspection in accordance with the Public Records Act, commencing with Section 6250 of Chapter 3.5 of Division 7 of Title 1 of the Government Code

(c) The Commission may adopt, amend, and repeal rules and regulations governing the conduct of its business, but shall not be subject to the provisions of the Administrative Procedures Act, commencing with Section 11340 of the Government Code, nor shall rules and regulations so adopted, amended, or repealed be subject to review by the Office of Administrative Law or its successor agency

(d) No action shall be taken by the Commission except by the recorded affirmative vote of at least seven Commissioners Notwithstanding any other provision of this Division, a vote to select plans to be returned for resubmission pursuant to subdivision (d) of Section 30008, or to adopt final plans, shall be conducted in a public proceeding and shall require the affirmative recorded vote of at least seven Commissioners, two of whom are affiliated with the largest political party and two of whom are affiliated with the second largest political party.

(e) No Commissioner shall be eligible for election to any state legislative or State Board of Equalization office for two years after the date upon which the justices declare the Commission disbanded.

30007 Information Manual.

(a) Not later than February 1st of the year following each decennial year, the Justices shall specify to the Secretary of State the data that will be required for the submission of redistricting plans. Within 30 days after receiving such specifications, the Secretary of State, under the direction of the justices, shall prepare an information manual and make it available for distribution to any group or registered voter Such information manuals shall contain the following.

(1) The standards set forth in Section 6 of Article IVA of the California Constitution,

(2) Pertinent United States census maps and a map of California which shall prominently indicate the boundaries of counties and cities, including their spheres of influence where applicable,

(3) Instructions for the submission of plans, including instructions pertaining to the form of such plans and required documentation; and

(4) Such other data as the justices shall require.

(b) Immediately upon the receipt of federal census data, the Governor shall transmit said data to the Secretary of State Within 15 days the Secretary of State shall make available statistical data pertaining to state population, race and national origin statistics, and such other data as the justices shall determine, which data has been compiled by the United States Bureau of the Census during the immediately preceding decennial census Such information shall be available in machine readable and hard copy form, or in such form as the justices shall determine.

(c) The Secretary of State shall charge a reasonable fee for preparation and distribution of information manuals prepared pursuant to this Section, in order to recover the actual direct preparation and distribution costs incurred by the Secretary of State. The Secretary of State shall additionally provide one copy of the information manual at no charge to each county election official in this State, who shall make said manual available for public inspection at no charge during regular business hours

30008. Preparation and Submission of Redistricting Plans and Hearings. Any registered voter of the State of California, except for a justice, Commissioner, alternate, nominee, member of the Commission staff or justices' staff, or the special master, may prepare and submit a plan for redistricting the United States House of Representatives for the State of California, or a plan for redistricting the California Assembly, Senate, and Board of Equalization, or both, in accordance with the provisions of this Division and the information manual prepared by the Secretary of State pursuant to the provisions of Section 30007. No person or organization may directly or indirectly submit to the Commission more than one plan for redistricting the United States House of Representatives for the State of California or more than one plan for the California Assembly, Senate, and Board of Equalization. The Commission shall review all such plans but shall not adopt any proposed plans which do not substantially comply with the provisions of Article IV A of the California Constitution, this Division and the provisions of the information manual Redistricting plans shall be prepared and submitted in accordance with the following schedule and procedure

(a) Fifteen days after United States Bureau of the Census data has been made available to the Secretary of State, he or she shall issue a public notice stating that the period for submission of proposed redistricting plans will terminate at the close of business on the sixtieth day following the date of the issuance of the notice Said notice shall be distributed to the news media and published in every daily newspaper of general circulation in this state in accordance with the provisions of Section 6061 of the Government Code

(b) Immediately following the conclusion of the period for the submission of plans, the Commission shall for a period of 45 days make available for public inspection copies of each plan received, together with supporting documentation and other materials received with said plans

(c) During the public inspection period set forth in subdivision (b) of this section, the Commission shall accept and review written comments on submitted plans and shall solicit and accept public comment on said plans at three public hearings. One such hearing shall be held in Northern California, one such hearing shall be held in Central California, and one such hearing shall be held in Southern California. Notice of said hearings shall be distributed to the news media and published in every daily newspaper of general circulation in this state, in accordance with Section 6061 of the Government Code

(d) Within 30 days after the conclusion of the public inspection period, the Commission shall adopt the plans which best satisfy the requirements of Article IVA of the California Constitution and the provisions of this Division. If, in the opinion of the Commissioners, no submitted plans comply with the aforesaid requirements and provisions, the Commissioners may select at least three but not more than five plans for redistricting the United States House of Representatives or at least three but not more than five plans for redistricting the California Assembly, Senate and Board of Equalization, or both, and instruct the special master to return them to the submitting parties, together with the Commission

transcript indicating those respects in which such plans fail to conform and instructions for resubmission. Said plans shall be resubmitted not later than 45 days after the conclusion of the public inspection period. Not later than 60 days after the conclusion of the public inspection period, the Commission shall either adopt the resubmitted plans which best satisfy the aforesaid requirements and provisions, or shall amend such plans as necessary to comply with the requirements of this Division and Article IVA of the California Constitution.

(e) In the event that the Commission is unable to adopt plans in accordance with subdivision (d) of Section 30006, within the time specified in this section, the justices shall declare the Commission disbanded and shall appoint a new Commission from among the alternates or remaining nominees, or both, in accordance with the provisions of Section 30003. Said Commission shall be afforded an additional 45 days in which to adopt a plan or plans from among those originally submitted to the Commission, subject to the same standards.

30009 Filing and Enactment.

(a) Immediately upon adopting plans within the time specified in this Division, the Commission shall file said plans with the Secretary of State and the justices shall declare the Commission disbanded. Notwithstanding any other provision of law, the filing date of an adopted plan shall constitute its date of enactment Upon filing, each plan shall have the full effect of a statute of this state and shall be published in the Elections Code.

(b) A plan or any section or part thereof, shall not be subject to repeal or amendment by the Legislature. Plans shall be subject to referendum pursuant to the procedures applicable to a statute of this State. Notwithstanding the qualification of a referendum petition against an adopted plan, the districts established by such a plan shall be applicable in any election held prior to or at the time of the referendum election If defeated in a referendum election, a plan shall be void and without effect, except that districts used during a primary election shall be used in the subsequent general election The justices shall thereupon appoint a new Commission from among the alternates and remaining nominees in accordance with the provisions of Section 30003. Said Commission shall be afforded an additional 45 days in which to adopt a plan from among those originally submitted to the Commission Any plan adopted by this Commission shall also be subject to referendum

30010. Misconduct of Commissioner, Improper Influence.

(a) Any justice, Commissioner, alternate, nominee, special master, member of the Commission staff or member of the justices' staff who either makes any promise or agreement to influence or attempt to influence the Commission to make any decision for or against a particular plan, or willfully and corruptly permits any communication to be made to him or her, or receives any plan, document, book, paper, instrument, or information relating to any cause or matter pending before the Commission, except according to the regular course of proceedings, is punishable by a fine not exceeding ten thousand dollars ($10,000), or by imprisonment in the state prison

(b) Any person who corruptly attempts to influence a Commissioner, alternate, nominee, justice, special master, member of the Commission staff, or member of the justices' staff with respect to any business of the Commission, either by means of any communication, oral or written, had with him or her except in the regular course of proceedings; by means of any plan, document, book, paper, or instrument exhibited, otherwise than in the regular course of proceedings; by means of any threat, intimidation, persuasion, or entreaty, or by

means of any promise, or assurance of any pecuniary or other advantage, is punishable by a fine not exceeding ten thousand dollars ($10,000), or by imprisonment in the state prison.

30010.1. Judicial Review.

(a) The California Supreme Court is hereby vested with original and exclusive jurisdiction to review legal challenges to plans adopted by the Commission. Review may be had by the Court on its own motion or by the filing of a petition for a writ of mandate, filed by any group or individual registered voter of the state with the clerk of the Court within 30 days after the adoption of a plan. The Attorney General shall represent the Commission with respect to such review or action.

(b) In the event that neither an original Commission nor a Commission appointed pursuant to the provisions of Section 30008 or 30009 has adopted plans within the time specified by this Division, the Supreme Court shall adopt plans which are consistent with the provisions of Article IVA of the California Constitution and this Division Said plans shall be adopted within 60 days after the conclusion of the time period permitted for adoption of plans by a Commission appointed pursuant to the provisions of Sections 30008 or 30009

(c) In the event that any plan adopted by the Commission is adjudicated unconstitutional or in violation of a federal statute, the Court shall order the justices to appoint a Commission from among alternates. In the event that such a Commission, or a Commission appointed pursuant to the provisions of Sections 30008 and 30009, adopts any plan which is adjudicated unconstitutional or in violation of a federal statute, the Court shall adopt a plan in accordance with the purpose and intent of this Division, and Article IVA of the California Constitution.

Section Eight. This Division may be amended or repealed by a statute that becomes effective only when approved by the electors.

Section Nine. In the event that this measure and another measure or measures on the subject of redistricting California Assembly, Senate, Board of Equalization or U S. House of Representatives districts shall be approved by a majority of voters at the same election, and this measure shall receive a greater number of affirmative votes than any such measure or measures, this measure shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. If this measure is approved but shall not receive a greater number of affirmative votes than said other measure or measures, this measure shall take effect to the extent permitted by applicable law.

Section Ten. This initiative is to be liberally interpreted to effect its purposes.

Section Eleven. If any provision of this initiative or the application of any provision of this initiative to any person or circumstance shall be held invalid, the invalidity shall not affect other provisions or applications which reasonably can be given effect without the invalid provision or application, and to this end the provisions of this initiative are severable.

PROPOSITIONS SUBMITTED TO VOTE OF ELECTORS

General Election, November 6, 1990

MEASURES ADOPTED

CONSTITUTIONAL AMENDMENT SUBMITTED BY LEGISLATURE

Number on ballot

127. **Earthquake Safety. Property Tax Exclusion.** (Statutes 1990, Resolution Chapter 57, SCA 33)

[Approved by electors November 6, 1990.]

PROPOSED ADDITION TO SUBDIVISION (c) OF SECTION 2 OF ARTICLE XIII A

(4) The construction or installation of seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies, which are constructed or installed in existing buildings after the effective date of this paragraph. The Legislature shall define eligible improvements This exclusion does not apply to seismic safety reconstruction or improvements which qualify for exclusion pursuant to the last sentence of the first paragraph of subdivision (a).

INITIATIVE CONSTITUTIONAL AMENDMENTS

Number on ballot

132. **Marine Resources.**

[Submitted by the initiative and approved by electors November 6, 1990]

PROPOSED ADDITION OF ARTICLE XB

The people of California find and declare that:

The marine resources of the State of California belong to all of the people of the state and should be conserved and managed for the benefit of all users and people concerned with their diversity and abundance for present and future generations' use, needs and enjoyment. Current state laws allow the use of indiscriminate and destructive gear types (gill nets and trammel nets) for the commercial take of fish in our nearshore waters that entangle thousands of mammals (whales, dolphins, sea otters, sea lions, porpoise, etc.) sea birds and hundreds of thousands of non-targeted fish annually. These indiscriminate gear types result in the tragic death of many non-targeted species unfortunate enough to be caught in them. It has been reported that seventy-two (72) percent of what is entangled and caught in a gill net or trammel net is unmarketable, and it is returned to the ocean dead or near dead, thereby depleting our ocean resources at an accelerated rate.

In order to restore and maintain our ocean resources, increased scientific and biological research and reliable data collection is urgently needed to provide credible information as to the long-term protection and management of the mammal and fish populations in our coastal waters. Therefore, the law governing

the use of gill nets and trammel nets in our coastal waters, as well as law establishing ecological reserves for scientific and biological studies and data collection to ensure abundant ocean resources should be permanently established as follows:

Amendment to the California Constitution adding Article XB as follows:

ARTICLE XB

MARINE RESOURCES PROTECTION ACT OF 1990

SECTION 1. This article shall be known and may be cited as the Marine Resources Protection Act of 1990.

SEC 2. (a) "District" means a fish and game district as defined in the Fish and Game Code by statute on January 1, 1990.

(b) Except as specifically provided in this article, all references to Fish and Game Code sections, articles, chapters, parts, and divisions are defined as those statutes in effect on January 1, 1990.

(c) "Ocean waters" means the waters of the Pacific Ocean regulated by the state

(d) "Zone" means the Marine Resources Protection zone established pursuant to this article The zone consists of the following:

(1) In waters less than 70 fathoms or within one mile, whichever is less, around the Channel Islands consisting of the Islands of San Miguel, Santa Rosa, Santa Cruz, Anacapa, San Nicolaus, Santa Barbara, Santa Catalina, and San Clemente.

(2) The area within three nautical miles offshore of the mainland coast, and the area within three nautical miles off any manmade breakwater, between a line extending due west from Point Arguello and a line extending due west from the Mexican border

(3) In waters less than 35 fathoms between a line running 180 degrees true from Point Fermin and a line running 270 degrees true from the south jetty of Newport Harbor.

SEC 3. (a) From January 1, 1991, to December 31, 1993, inclusive, gill nets or trammel nets may only be used in the zone pursuant to a nontransferable permit issued by the Department of Fish and Game pursuant to Section 5.

(b) On and after January 1, 1994, gill nets and trammel nets shall not be used in the zone

SEC 4. (a) Notwithstanding any other provision of law, gill nets and trammel nets may not be used to take any species of rockfish.

(b) In ocean waters north of Point Arguello on and after the effective date of this article, the use of gill nets and trammel nets shall be regulated by the provisions of Article 4 (commencing with Section 8660), Article 5 (commencing with Section 8680) and Article 6 (commencing with Section 8720) of Chapter 3 of Part 3 of Division 6 of the Fish and Game Code, or any regulation or order issued pursuant to these articles, in effect on January 1, 1990, except that as to Sections 8680, 8681, 8681.7, and 8682, and subdivisions (a) through (f), inclusive of Section 8681 5 of the Fish and Game Code, or any regulation or order issued pursuant to these sections, the provisions in effect on January 1, 1989, shall control where not in conflict with other provisions of this article, and shall be applicable to all ocean waters Notwithstanding the provisions of this section, the Legislature shall not be precluded from imposing more restrictions on the use and/or possession of gill nets or trammel nets. The Director of the Department of Fish and Game shall not authorize the use of gill nets or trammel nets in any area where the use is not permitted even if the director makes specified findings.

SEC. 5. The Department of Fish and Game shall issue a permit to use a gill net or trammel net in the zone for the period specified in subdivision (a) of Section 3 to any applicant who meets both of the following requirements:

(a) Has a commercial fishing license issued pursuant to Sections 7850–7852.3 of the Fish and Game Code.

(b) Has a permit issued pursuant to Section 8681 of the Fish and Game Code and is presently the owner or operator of a vessel equipped with a gill net or trammel net.

SEC. 6. The Department of Fish and Game shall charge the following fees for permits issued pursuant to Section 5 pursuant to the following schedule:

Calendar Year	*Fee*
1991	*$250*
1992	*500*
1993	*1,000*

SEC. 7. (a) Within 90 days after the effective date of this section, every person who intends to seek the compensation provided in subdivision (b) shall notify the Department of Fish and Game, on forms provided by the department, of that intent. Any person who does not submit the form within that 90-day period shall not be compensated pursuant to subdivision (b) The department shall publish a list of all persons submitting the form within 120 days after the effective date of this section.

(b) After July 1, 1993, and before January 1, 1994, any person who holds a permit issued pursuant to Section 5 and operates in the zone may surrender that permit to the department and agree to permanently discontinue fishing with gill or trammel nets in the zone, for which he or she shall receive, beginning on July 1, 1993, a one time compensation which shall be based upon the average annual ex vessel value of the fish other than any species of rockfish landed by a fisherman, which were taken pursuant to a valid general gill net or trammel net permit issued pursuant to Sections 8681 and 8682 of the Fish and Game Code within the zone during the years 1983 to 1987, inclusive. The department shall verify those landings by reviewing logs and landing receipts submitted to it. Any person who is denied compensation by the department as a result of the department's failure to verify landings may appeal that decision to the Fish and Game Commission.

(c) The State Board of Control shall, prior to the disbursement of any funds, verify the eligibility of each person seeking compensation and the amount of the compensation to be provided in order to ensure compliance with this section.

(d) Unless the Legislature enacts any required enabling legislation to implement this section on or before July 1, 1993, no compensation shall be paid under this article.

SEC 8. (a) There is hereby created the Marine Resources Protection Account in the Fish and Game Preservation Fund On and after January 1, 1991, the Department of Fish and Game shall collect any and all fees required by this article. All fees received by the department pursuant to this article shall be deposited in the account and shall be expended or encumbered to compensate persons who surrender permits pursuant to Section 7 or to provide for administration of this article. All funds received by the department during any fiscal year pursuant to this article which are not expended during that fiscal year to compensate persons as set forth in Section 7 or to provide for administration of this article shall be carried over into the following fiscal year and shall be used only for those purposes. All interest accrued from the department's retention of

fees received pursuant to this article shall be credited to the account. The accrued interest may only be expended for the purposes authorized by this article The account shall continue in existence, and the requirement to pay fees under this article shall remain in effect, until the compensation provided in Section 7 has been fully funded or until January 1, 1995, whichever occurs first

(b) An amount, not to exceed 15 percent of the total annual revenues deposited in the account excluding any interest accrued or any funds carried over from a prior fiscal year may be expended for the administration of this article.

(c) In addition to a valid California sportfishing license issued pursuant to Sections 7149, 7149.1 or 7149.2 of the Fish and Game Code and any applicable sport license stamp issued pursuant to the Fish and Game Code, a person taking fish from ocean waters south of a line extending due west from Point Arguello for sport purposes shall have permanently affixed to that person's sportfishing license a marine resources protection stamp which may be obtained from the department upon payment of a fee of three dollars ($3). This subdivision does not apply to any one-day fishing license.

(d) In addition to a valid California commercial passenger fishing boat license required by Section 7920 of the Fish and Game Code, the owner of any boat or vessel who, for profit, permits any person to fish from the boat or vessel in ocean waters south of a line extending due west from Point Arguello, shall obtain and permanently affix to the license a commercial marine resources protection stamp which may be obtained from the department upon payment of a fee of three dollars ($3).

(e) The department may accept contributions or donations from any person who wishes to donate money to be used for the compensation of commercial gill net and trammel net fishermen who surrender permits under this article.

(f) This section shall become inoperative on January 1, 1995.

SEC. 9. Any funds remaining in the Marine Resources Protection Account in the Fish and Game Preservation Fund on or after January 1, 1995, shall, with the approval of the Fish and Game Commission, be used to provide grants to colleges, universities and other bonafide scientific research groups to fund marine resource related scientific research within the ecological reserves established by Section 14 of this act.

SEC 10. On or before December 31 of each year, the Director of Fish and Game shall prepare and submit a report to the Legislature regarding the implementation of this article including an accounting of all funds.

SEC 11. It is unlawful for any person to take, possess, receive, transport, purchase, sell, barter, or process any fish obtained in violation of this article.

SEC. 12 To increase the state's scientific and biological information on the ocean fisheries of this state, the Department of Fish and Game shall establish a program whereby it can monitor and evaluate the daily landings of fish by commercial fishermen who are permitted under this article to take these fish. The cost of implementing this monitoring program shall be borne by the commercial fishing industry.

SEC. 13. (a) The penalty for a first violation of the provisions of Sections 3 and 4 of this article is a fine of not less than one thousand dollars ($1,000) and not more than five thousand dollars ($5,000) and a mandatory suspension of any license, permit or stamp to take, receive, transport, purchase, sell, barter or process fish for commercial purposes for six months. The penalty for a second or subsequent violation of the provisions of Sections 3 and 4 of this article is a fine of not less than two thousand five hundred dollars ($2,500) and not more than

ten thousand dollars ($10,000) and a mandatory suspension of any license, permit or stamp to take, receive, transport, purchase, sell, barter, or process fish for commercial purposes for one year.

(b) Notwithstanding any other provisions of law, a violation of Section 8 of this article shall be deemed a violation of the provisions of Section 7145 of the Fish and Game Code and the penalty for such violation shall be consistent with the provisions of Section 12002.2 of said code.

(c) If a person convicted of a violation of Section 3, 4, or 8 of this article is granted probation, the court shall impose as a term or condition of probation, in addition to any other term or condition of probation, that the person pay at least the minimum fine prescribed in this section.

SEC. 14. Prior to January 1, 1994, the Fish and Game Commission shall establish four new ecological reserves in ocean waters along the mainland coast Each ecological reserve shall have a surface area of at least two square miles The commission shall restrict the use of these ecological reserves to scientific research relating to the management and enhancement of marine resources

SEC 15. This article does not preempt or supersede any other closures to protect any other wildlife, including sea otters, whales, and shorebirds

SEC 16 If any provision of this article or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

Number on ballot

140 Limits on Terms of Office, Legislators' Retirement, Legislative Operating Costs.

[Submitted by the initiative and approved by electors November 6, 1990]

PROPOSED LAW

SECTION 1. This measure shall be known and may be cited as "The Political Reform Act of 1990."

SEC. 2. Section 1.5 is added to Article IV of the California Constitution, to read:

SEC. 1.5. The people find and declare that the Founding Fathers established a system of representative government based upon free, fair, and competitive elections. The increased concentration of political power in the hands of incumbent representatives has made our electoral system less free, less competitive, and less representative.

The ability of legislators to serve unlimited number of terms, to establish their own retirement system, and to pay for staff and support services at state expense contribute heavily to the extremely high number of incumbents who are reelected. These unfair incumbent advantages discourage qualified candidates from seeking public office and create a class of career politicians, instead of the citizen representatives envisioned by the Founding Fathers. These career politicians become representatives of the bureaucracy, rather than of the people whom they are elected to represent.

To restore a free and democratic system of fair elections, and to encourage qualified candidates to seek public office, the people find and declare that the powers of incumbency must be limited. Retirement benefits must be restricted,

state-financed incumbent staff and support services limited, and limitations placed upon the number of terms which may be served.

SEC. 3. Section 2 of Article IV of the California Constitution is amended to read:

SEC. 2. (a) The Senate has a membership of 40 Senators elected for 4-year terms, 20 to begin every 2 years. *No Senator may serve more than 2 terms.*

The Assembly has a membership of 80 members elected for 2-year terms. *No member of the Assembly may serve more than 3 terms.*

Their terms shall commence on the first Monday in December next following their election.

(b) Election of members of the Assembly shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as members of the Assembly.

(c) A person is ineligible to be a member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election

(d) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

SEC. 4. Section 4.5 is added to Article IV of the California Constitution, to read:

SEC 4 5 Notwithstanding any other provision of this Constitution or existing law, a person elected to or serving in the Legislature on or after November 1, 1990, shall participate in the Federal Social Security (Retirement, Disability, Health Insurance) Program and the State shall pay only the employer's share of the contribution necessary to such participation No other pension or retirement benefit shall accrue as a result of service in the Legislature, such service not being intended as a career occupation This Section shall not be construed to abrogate or diminish any vested pension or retirement benefit which may have accrued under an existing law to a person holding or having held office in the Legislature, but upon adoption of this Act no further entitlement to nor vesting in any existing program shall accrue to any such person, other than Social Security to the extent herein provided.

SEC. 5. Section 7.5 is added to Article IV of the California Constitution, to read:

SEC 7 5 In the fiscal year immediately following the adoption of this Act, the total aggregate expenditures of the Legislature for the compensation of members and employees of, and the operating expenses and equipment for, the Legislature may not exceed an amount equal to nine hundred fifty thousand dollars ($950,000) per member for that fiscal year or 80 percent of the amount of money expended for those purposes in the preceding fiscal year, whichever is less For each fiscal year thereafter, the total aggregate expenditures may not exceed an amount equal to that expended for those purposes in the preceding fiscal year, adjusted and compounded by an amount equal to the percentage increase in the appropriations limit for the state established pursuant to Article XIII B

SEC. 6. Section 2 of Article V of the California Constitution is amended to read:

SEC. 2. The Governor shall be elected every fourth year at the same time and places as members of the Assembly and hold office from the Monday after January 1 following the election until a successor qualifies. The Governor shall be

an elector who has been a citizen of the United States and a resident of this State for 5 years immediately preceding the Governor's election. The Governor may not hold other public office. *No Governor may serve more than 2 terms.*

SEC. 7. Section 11 of Article V of the California Constitution is amended to read:

SEC. 11 The Lieutenant Governor, Attorney General, Controller, Secretary of State, and Treasurer shall be elected at the same time and places and for the same term as the Governor. *No Lieutenant Governor, Attorney General, Controller, Secretary of State, or Treasurer may serve in the same office for more than 2 terms*

SEC. 8. Section 2 of Article IX of the California Constitution is amended to read:

SEC. 2. A Superintendent of Public Instruction shall be elected by the qualified electors of the State at each gubernatorial election. The Superintendent of Public Instruction shall enter upon the duties of the office on the first Monday after the first day of January next succeeding each gubernatorial election. *No Superintendent of Public Instruction may serve more than 2 terms.*

SEC. 9. Section 17 of Article XIII of the California Constitution is amended to read.

SEC. 17. The Board of Equalization consists of 5 voting members. the Controller and 4 members elected for 4-year terms at gubernatorial elections. The state shall be divided into four Board of Equalization districts with the voters of each district electing one member. *No member may serve more than 2 terms*

SEC. 10 Section 7 is added to Article XX of the California Constitution, to read.

SEC 7 The limitations on the number of terms prescribed by Section 2 of Article IV, Sections 2 and 11 of Article V, Section 2 of Article IX, and Section 17 of Article XIII apply only to terms to which persons are elected or appointed on or after November 6, 1990, except that an incumbent Senator whose office is not on the ballot for the general election on that date may serve only one additional term Those limitations shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than half of the full term

SEC 11 Section 11 (d) is added to Article VII of the California Constitution, to read.

SEC 11 (a) The Legislators' Retirement System shall not pay any unmodified retirement allowance or its actuarial equivalent to any person who on or after January 1, 1987, entered for the first time any state office for which membership in the Legislators' Retirement System was elective or to any beneficiary or survivor of such a person, which exceeds the higher of (1) the salary receivable by the person currently serving in the office in which the retired person served or (2) the highest salary that was received by the retired person while serving in that office

(b) The Judges' Retirement System shall not pay any unmodified retirement allowance or its actuarial equivalent to any person who on or after January 1, 1987, entered for the first time any judicial office subject to the Judges' Retirement System or to any beneficiary or survivor of such a person, which exceeds the higher of (1) the salary receivable by the person currently serving in the judicial office in which the retired person served or (2) the highest salary that was received by the retired person while serving in that judicial office

(c) The Legislature may define the terms used in this section.

(d) If any part of this measure or the application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which reasonably can be given effect without the invalid provision or application.

INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE

Number on ballot

139. **Prison Inmate Labor. Tax Credit.**

[Submitted by the initiative and approved by electors November 6, 1990]

PROPOSED LAW

PRISON INMATE LABOR INITIATIVE OF 1990

Section 1 This measure shall be known as the "Prison Inmate Labor Initiative of 1990."

Section 2. The people of the State of California find and declare that inmates who are confined in state prison or county jails should work as hard as the taxpayers who provide for their upkeep, and that those inmates may be required to perform work and services in order to do all of the following:

(a) Reimburse the State of California or counties for a portion of the costs associated with their incarceration

(b) Provide restitution and compensation to the victims of crime.

(c) Encourage and maintain safety in prison and jail operations.

(d) Support their families to the extent possible.

(e) Learn skills which may be used upon their return to free society.

(f) Assist in their own rehabilitation in order to become responsible law-abiding citizens upon their release from state prison or local jail.

Section 3. Section 5 of Article XIV of the State Constitution is repealed.

~~SEC. 5. The labor of convicts shall not be let out by contract to any person, copartnership, company or corporation, and the Legislature shall, by law, provide for the working of convicts for the benefit of the state.~~

Section 4 Section 5 is added to Article XIV of the State Constitution to read:

SECTION 5. (a) The Director of Corrections or any county Sheriff or other local government official charged with jail operations, may enter into contracts with public entities, nonprofit or for profit organizations, entities, or businesses for the purpose of conducting programs which use inmate labor Such programs shall be operated and implemented pursuant to statutes enacted by or in accordance with the provisions of the Prison Inmate Labor Initiative of 1990, and by rules and regulations prescribed by the Director of Corrections and, for county jail programs, by local ordinances

(b) No contract shall be executed with an employer that will initiate employment by inmates in the same job classification as non-inmate employees of the same employer who are on strike, as defined in Section 1132.6 of the Labor Code, as it reads on January 1, 1990, or who are subject to lockout, as defined in Section 1132 8 of the Labor Code, as it reads on January 1, 1990. Total daily hours worked by inmates employed in the same job classification as non-inmate employees of the same employer who are on strike, as defined in Section 1132 6 of the Labor Code, as it reads on January 1, 1990, or who are subject to lockout, as defined in Section 1132 8 of the Labor Code, as it reads on January 1, 1990, shall not exceed,

for the duration of the strike, the average daily hours worked for the preceding six months, or if the program has been in operation for less than six months, the average for the period of operation.

(c) Nothing in this section shall be interpreted as creating a right of inmates to work.

Section 5. Article 1.5 is added to Chapter 5 of Title 1 of Part 3 of the Penal Code to read:

Article 1.5.

Joint Venture Program

2717.1. Definitions

(a) For the purposes of this section, joint venture program means a contract entered into between the Director of Corrections and any public entity, nonprofit or for profit entity, organization, or business for the purpose of employing inmate labor

(b) Joint venture employer means any public entity, nonprofit or for profit entity, organization, or business which contracts with the Director of Corrections for the purpose of employing inmate labor.

2717.2. The Director of Corrections shall establish joint venture programs within state prison facilities to allow joint venture employers to employ inmates confined in the state prison system for the purpose of producing goods or services While recognizing the constraints of operating within the prison system, such programs will be patterned after operations outside of prison so as to provide inmates with the skills and work habits necessary to become productive members of society upon their release from state prison

2717.3. The Director of Corrections shall prescribe by rules and regulations provisions governing the operation and implementation of joint venture programs, which shall be in furtherance of the findings and declarations in the Prison Inmate Labor Initiative of 1990.

2717.4. There is hereby established within the Department of Corrections the Joint Venture Policy Advisory Board The Joint Venture Policy Advisory Board shall consist of the Director of Corrections, who shall serve as chair, the Director of the Employment Development Department, and five members, to be appointed by the Governor, three of whom shall be public members, one of whom shall represent organized labor and one of whom shall represent industry. Five members shall constitute a quorum and a vote of the majority of the members in office shall be necessary for the transaction of the business of the board. Appointed members of the board shall be compensated at the rate of two hundred dollars ($200) for each day while on official business of the board and shall be reimbursed for necessary expenses The initial terms of the members appointed by the Governor shall be for one year (one member), two years (two members), three years (one member), and four years (one member), as determined by the Governor. After the initial term, all members shall serve for four years

(b) The board shall advise the Director of Corrections of policies that further the purposes of the Prison Inmate Labor Initiative of 1990 to be considered in the implementation of joint venture programs.

2717.5 In establishing joint venture contracts the Director of Corrections shall consider the impact on the working people of California and give priority consideration to inmate employment which will retain or reclaim jobs in California, support emerging California industries, or create jobs for a deficient labor market.

2717.6. (a) No contract shall be executed with a joint venture employer that will initiate employment by inmates in the same job classification as non-inmate employees of the same employer who are on strike, as defined in Section 1132.6 of the Labor Code, as it reads on January 1, 1990, or who are subject to lockout, as defined in Section 1132.8 of the Labor Code, as it reads on January 1, 1990.

(b) Total daily hours worked by inmates employed in the same job classification as non-inmate employees of the same joint venture employer who are on strike, as defined in Section 1132.6 of the Labor Code, as it reads on January 1, 1990, or who are subject to lockout, as defined in Section 1132.8 of the Labor Code, as it reads on January 1, 1990, shall not exceed, for the duration of the strike, the average daily hours worked for the preceding six months, or if the program has been in operation for less than six months, the average for the period of operation.

(c) The determination that a condition described in paragraph (b) above shall be made by the Director after notification by the union representing the workers on strike or subject to lockout. The limitation on work hours shall take effect 48 hours after receipt by the Director of written notice of the condition by the union.

2717.7. Notwithstanding Section 2812 of the Penal Code or any other provision of law which restricts the sale of inmate-provided services or inmate-manufactured goods, services performed and articles manufactured by joint venture programs may be sold to the public.

2717.8 The compensation of prisoners engaged in programs pursuant to contract between the Department of Corrections and joint venture employers for the purpose of conducting programs which use inmate labor shall be comparable to wages paid by the joint venture employer to non-inmate employees performing similar work for that employer. If the joint venture employer does not employ such non-inmate employees in similar work, compensation shall be comparable to wages paid for work of a similar nature in the locality in which the work is to be performed Such wages shall be subject to deductions, as determined by the Director of Corrections, which shall not, in the aggregate, exceed 80 percent of gross wages and shall be limited to the following·

(1) Federal, state, and local taxes.

(2) Reasonable charges for room and board, which shall be remitted to the Director of Corrections.

(3) Any lawful restitution fine or contributions to any fund established by law to compensate the victims of crime of not more than 20 percent, but not less than 5 percent, of gross wages, which shall be remitted to the Director of Corrections for disbursement.

(4) Allocations for support of family pursuant to state statute, court order, or agreement by the prisoner

Section 6. Section 14672 16 is added to the Government Code to read:

14672.16. (a) Notwithstanding Section 14670, the Director of General Services, with the consent of the Department of Corrections or the Department of the Youth Authority may let, in the best interest of the state, any real property located within the grounds of a facility of the Department of Corrections or the Department of the Youth Authority to a public or private entity for a period not to exceed 20 years for the purpose of conducting programs for the employment and training of prisoners or wards in institutions under the jurisdiction of the Department of Corrections or the Department of the Youth Authority

(b) The lease may provide for the renewing of the lease for additional successive 10-year terms, but those additional terms shall not exceed three in

number. Any lease of state property entered into pursuant to this section may be at less than market value when the Director of General Services determines it will serve a statewide public purpose.

Section 7. Section 17053.6 is added to the Revenue and Taxation Code to read:

17053.6. There shall be allowed as a credit against the "net tax" (as defined by Section 17039) an amount equal to 10 percent of the amount of wages paid to each prisoner who is employed in a joint venture program established pursuant to Article 1.5 of Chapter 5 of Title 1 of Part 3 of the Penal Code, through agreement with the Director of Corrections.

Section 8. Section 23624 is added to the Revenue and Taxation Code to read:

23624. There shall be allowed as a credit against the "tax" (as defined by Section 23036) an amount equal to 10 percent of the amount of wages paid to each prisoner who is employed in a joint venture program established pursuant to Article 1.5 of Chapter 5 of Title 1 of Part 3 of the Penal Code, through agreement with the Director of Corrections.

Section 9. If any provision of this measure or the application thereof to any person or circumstances is held invalid or unconstitutional, that invalidity shall not effect other provisions or applications of the measure which can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

Section 10. The statutory provisions contained in this measure may not be amended by the Legislature except to further its purposes by statute passed in each house by roll call vote entered in the journal, two thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

BOND ACTS SUBMITTED BY LEGISLATURE

Number on ballot

142. **Veterans' Bond Act of 1990.** (Statutes 1990, Chapter 573, SB 2755)

[Approved by electors November 6, 1990.]

PROPOSED LAW

SECTION 1. Article 5u (commencing with Section 998.098) is added to Chapter 6 of Division 4 of the Military and Veterans Code, to read:

Article 5u. Veterans' Bond Act of 1990

998.098. This article may be cited as the Veterans' Bond Act of 1990

998.099. (a) The State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), except as otherwise provided herein, is adopted for the purpose of the issuance, sale, and repayment of, and otherwise providing with respect to, the bonds authorized to be issued by this article, and the provisions of that law are included in this article as though set out in full in this article All references in this article to "herein" refer both to this article and that law.

(b) For purposes of the State General Obligation Bond Law, the Department of Veterans Affairs is designated the board

998.100 As used herein, the following words have the following meanings:

(a) "Bond" means veterans' bond, a state general obligation bond, issued pursuant to this article adopting the provisions of the State General Obligation Bond Law.

(b) "Committee" means the Veterans' Finance Committee of 1943, created by Section 991

(c) "Board" means the Department of Veterans Affairs.

(d) "Fund" means the Veterans' Farm and Home Building Fund of 1943, created by Section 988

(e) "Bond act" means this article authorizing the issuance of state general obligation bonds and adopting the State General Obligation Bond Law by reference

998 101 For the purpose of creating a fund to provide farm and home aid for veterans in accordance with the Veterans' Farm and Home Purchase Act of 1974 (Article 3 1 (commencing with Section 987.50)), and of all acts amendatory thereof and supplemental thereto, the committee may create a debt or debts, liability or liabilities, of the State of California, in the aggregate amount of not more than four hundred million dollars ($400,000,000), exclusive of refunding bonds, in the manner provided herein.

998 102 (a) All bonds authorized by this article, when duly sold and delivered as provided herein, constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest thereof.

(b) There shall be collected annually in the same manner and at the same time as other state revenue is collected a sum of money, in addition to the ordinary revenues of the state, sufficient to pay the principal of, and interest on, these bonds as provided herein, and all officers required by law to perform any duty in regard to the collection of state revenues shall collect this additional sum

(c) On the dates on which funds are remitted pursuant to Section 16676 of the Government Code for the payment of the then maturing principal of, and interest on, the bonds in each fiscal year, there shall be returned to the General Fund all of the money in the fund, not in excess of the principal of, and interest on, any bonds then due and payable, except as herein provided for the prior redemption of the bonds If the money so returned on the remittance dates is less than the principal and interest then due and payable, the balance remaining unpaid shall be returned to the General Fund out of the fund as soon as it shall become available, together with interest thereon from the dates of maturity until so returned, at the same rate of interest as borne by the bonds, compounded semiannually.

998 103 There is hereby appropriated from the General Fund, for purposes of this article, a sum of money that will equal both of the following.

(a) That sum annually necessary to pay the principal of, and the interest on, the bonds issued and sold as provided herein, as that principal and interest become due and payable

(b) That sum necessary to carry out Section 998.104, appropriated without regard to fiscal years.

998 104. For purposes of this article, the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of a sum of money not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold pursuant to this article. Any sums withdrawn shall be deposited in the fund All money made available under this section to the board

shall be returned by the board to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from the sale of bonds for the purpose of carrying out this article.

998.105. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out this chapter. The amount of the request shall not exceed the amount of unsold bonds which the committee has, by resolution, authorized to be sold for the purpose of carrying out this chapter. The board shall execute whatever documents are required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

998 106. Upon request of the board, supported by a statement of its plans and projects approved by the Governor, the committee shall determine whether to issue any bonds authorized under this article in order to carry out the board's plans and projects, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out these plans and projects progressively, and it is not necessary that all the bonds be issued or sold at any one time.

998 107 So long as any bonds authorized under this article are outstanding, the Director of Veterans Affairs shall, at the close of each fiscal year, require a survey of the financial condition of the Division of Farm and Home Purchases, together with a projection of the division's operations, to be made by an independent public accountant of recognized standing The results of each survey and projection shall be reported in writing by the public accountant to the Director of Veterans Affairs, the California Veterans Board, and the committee

The Division of Farm and Home Purchases shall reimburse the public accountant for these services out of any money which the division may have available on deposit with the Treasurer.

998 108 The committee may authorize the Treasurer to sell all or any part of the bonds authorized by this article at the time or times fixed by the Treasurer

Whenever the committee deems it necessary for an effective sale of the bonds, the committee may authorize the Treasurer to sell any issue of bonds at less than their par value, notwithstanding Section 16754 of the Government Code. However, the discount on the bonds shall not exceed 3 percent of the par value thereof.

998 109. Out of the first money realized from the sale of bonds as provided herein, there shall be redeposited in the General Obligation Bond Expense Revolving Fund, established by Section 16724.5 of the Government Code, the amount of all expenditures made for the purposes specified in that section, and this money may be used for the same purpose and repaid in the same manner whenever additional bond sales are made.

998.110. Any bonds issued and sold pursuant to this article may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 2 of Title 2 of the Government Code. The approval of the voters for the issuance of bonds under this article includes approval for the issuance of bonds issued to refund bonds originally issued or any previously issued refunding bonds

998.111. Notwithstanding any provision of the bond act, if the Treasurer sells bonds under this article for which bond counsel has issued an opinion to the effect that the interest on the bonds is excludable from gross income for purposes of federal income tax, subject to any conditions which may be designated, the

Treasurer may establish separate accounts for the investment of bond proceeds and for the earnings on those proceeds, and may use those proceeds or earnings to pay any rebate, penalty, or other payment required by federal law or take any other action with respect to the investment and use of bond proceeds required or permitted under federal law necessary to maintain the tax-exempt status of the bonds or to obtain any other advantage under federal law on behalf of the funds of this state

998.112. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this article are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by Article XIII B

Number on ballot

146 **School Facilities Bond Act of 1990.** (Statutes 1990, Chapter 578, AB 236)

[Approved by electors November 6, 1990]

PROPOSED LAW

SECTION 1 Chapter 21.3 (commencing with Section 17650) is added to Part 10 of the Education Code, to read:

CHAPTER 21.3. SCHOOL FACILITIES BOND ACT OF 1990

Article 1 General Provisions

17650 This chapter shall be known and may be cited as the School Facilities Bond Act of 1990

17650 10 As used in this chapter, the following terms have the following meanings

(a) "Committee" means the State School Building Finance Committee created pursuant to Section 15909

(b) "Fund" means the State School Building Lease-Purchase Fund

Article 2 Program Provisions

17650 15. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the fund

17650.20. All moneys deposited in the fund shall be available to provide aid to school districts of the state in accordance with the Leroy F Greene State School Building Lease-Purchase Law of 1976 (Chapter 22 (commencing with Section 17700)), and of all acts amendatory thereof and supplementary thereto, to provide aid to school districts of the state in accordance with Section 17650 30, to provide funds to repay any money advanced or loaned to the State School Building Lease-Purchase Fund under any act of the Legislature, together with interest provided for in that act, and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724 5 of the Government Code

17650 25 (a) With respect to the proceeds of bonds to be expended under this chapter for the purposes of Chapter 22 (commencing with Section 17700), all provisions of Chapter 22 (commencing with Section 17700) shall apply.

(b) As to any project that is funded, in whole or in part, from the proceeds of bonds to be expended under this chapter for the purposes of Chapter 22 (commencing with Section 17700), the state's portion of land costs paid from the proceeds of bonds authorized under this chapter shall not exceed two million two hundred fifty thousand dollars ($2,250,000) per acre, per project

17650.30. (a) Of the proceeds from the sale of bonds pursuant to this chapter, not more than two hundred sixty million dollars ($260,000,000) may be used for one or more of the following purposes:

(1) Project funding for applicant districts under Chapter 22 (commencing with Section 17700) that are eligible for that funding, but that lack funding priority due to the size of pupil enrollment in the district.

(2) The identification, assessment, or abatement of hazardous asbestos in school facilities, pursuant to either Chapter 22 (commencing with Section 17700) or Section 39619.6.

(3) The acquisition of portable classrooms for use in accordance with Chapter 25 (commencing with Section 17785).

(4) The reconstruction or modernization of facilities within the meaning of Chapter 22 (commencing with Section 17700).

(5) The funding of child care facilities pursuant to Section 8477.

(b) Of the proceeds from the sale of bonds pursuant to this chapter, forty million dollars ($40,000,000) shall be used for the purchase and installation of air-conditioning equipment and insulation materials, and related costs, pursuant to Section 42250.1 for schools operated on a year-round multitrack schedule in a manner that increases school capacity and reduces or eliminates the district's need for the construction of additional classroom space.

(c) Notwithstanding subdivision (b), in the event the board determines that the amount made available under that subdivision exceeds the amount necessary to fund the qualified recipients of the apportionment authorized under that subdivision, as indicated by those applications for that funding received by the board on or before June 30, 1991, the board may expend any portion of that excess for any one or more of the purposes described in subdivision (a).

Article 3. Fiscal Provisions

17650.40. Bonds in the total amount of eight hundred million dollars ($800,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

17650.44. The State School Building Finance Committee, created by Section 15909 and composed of the Governor, Controller, Treasurer, Director of Finance, and the Director of Education, or their designated representatives, all of whom shall serve thereon without compensation, and a majority of whom shall constitute a quorum, is continued in existence for the purpose of this chapter. The Treasurer shall be designated to chair the committee. Two Members of the Senate appointed by the Senate Committee on Rules, and two Members of the Assembly appointed by the Speaker of the Assembly, shall meet and advise with the committee to the extent that the advisory participation is not incompatible with their respective positions as Members of the Legislature. For the purposes of this chapter, the Members of the Legislature shall constitute an interim investigating committee on the subject of this chapter and as such shall have the powers and duties imposed upon those committees by the Joint Rules of the Senate and the

Assembly. The Director of Finance shall provide the assistance to the committee as it may require. The Attorney General of the state shall be the legal adviser of the committee.

17650 45. (a) The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

(b) For purposes of the State General Obligation Bond Law, the State Allocation Board is designated the "board."

17650.50. Upon request of the board from time to time, supported by a statement of the apportionments made and to be made for the purposes described in Section 17650.20, the committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to fund the apportionments and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to fund those apportionments progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

17650 55 There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

17650.60. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 17650.70, appropriated without regard to fiscal years

17650.63. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out this chapter. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this chapter. The board shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

17650.65. Notwithstanding any other provision of this chapter, or of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), if the Treasurer sells bonds that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes subject to designated conditions, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect

to the investment and use of those bond proceeds that is required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

17650.70. For the purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, plus an amount equal to the interest the money would have earned in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this chapter.

17650.75. All money deposited in the fund that is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

17650.80. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the electors of the state for the issuance of the bonds described in this chapter shall include approval of the issuance of any bonds issued to refund any bonds originally issued under this chapter or any previously issued refunding bonds.

17650.85 The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article

MEASURES DEFEATED

CONSTITUTIONAL AMENDMENTS SUBMITTED BY LEGISLATURE

Number on ballot

124. **Local Hospital Districts.** (Statutes 1990, Resolution Chapter 6, ACA 29)

[Rejected by electors November 6, 1990]

PROPOSED AMENDMENT TO ARTICLE XVI

SEC. 6. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift or authorize the making of any gift, of any public money or thing of value to any individual, municipal or other corporation whatever; provided, that nothing in this section shall prevent the Legislature granting aid

pursuant to Section 3 of Article XVI; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever; provided, further, that irrigation districts for the purpose of acquiring the control of any entire international water system necessary for its use and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country; provided, further, that irrigation districts for the purpose of acquiring water and water rights and other property necessary for their uses and purposes, may acquire and hold the stock of corporations, domestic or foreign, owning waters, water rights, canals, waterworks, franchises or concessions subject to the same obligations and liabilities as are imposed by law upon all other stockholders in such corporation; and *provided, further, that the Legislature by statute may authorize local hospital districts to acquire and own stock of corporations which engage in any health care related business as that term may be defined from time to time by the Legislature, and provided that the district shall be subject to the same obligations and liabilities as are imposed by law upon all other stockholders in those corporations; and*

Provided, further, that nothing in this section shall be construed to repeal or otherwise affect Section 2400 of the Business and Professions Code; and

Provided, further, that this section shall not prohibit any county, city and county, city, township, or other political corporation or subdivision of the State from joining with other such agencies in providing for the payment of workers' compensation, unemployment compensation, tort liability, or public liability losses incurred by such agencies, by entry into an insurance pooling arrangement under a joint exercise of powers agreement, or by membership in such ~~publicly-owned~~ *publicly owned* nonprofit corporation or other public agency as may be authorized by the Legislature; and

Provided, further, that nothing contained in this Constitution shall prohibit the use of State money or credit, in aiding veterans who served in the military or naval service of the United States during the time of war, in the acquisition of, or payments for, (1) farms or homes, or in projects of land settlement or in the development of such farms or homes or land settlement projects for the benefit of such veterans, or (2) any business, land or any interest therein, buildings, supplies, equipment, machinery, or tools, to be used by the veteran in pursuing a gainful occupation; and

Provided, further, that nothing contained in this Constitution shall prohibit the State, or any county, city and county, city, township, or other political corporation or subdivision of the State from providing aid or assistance to persons, if found to be in the public interest, for the purpose of clearing debris, natural materials, and wreckage from privately owned lands and waters deposited thereon or therein during a period of a major disaster or emergency, in either case declared by the President. In such case, the public entity shall be indemnified by the recipient from the award of any claim against the public entity arising from the rendering of such aid or assistance. Such aid or assistance must be eligible for federal reimbursement for the cost thereof.

And provided, still further, that notwithstanding the restrictions contained in this Constitution, the treasurer of any city, county, or city and county shall have power and the duty to make such temporary transfers from the funds in custody as may be necessary to provide funds for meeting the obligations incurred for

maintenance purposes by any city, county, city and county, district, or other political subdivision whose funds are in custody and are paid out solely through the treasurer's office. Such temporary transfer of funds to any political subdivision shall be made only upon resolution adopted by the governing body of the city, county, or city and county directing the treasurer of such city, county, or city and county to make such temporary transfer. Such temporary transfer of funds to any political subdivision shall not exceed 85 percent of the anticipated revenues accruing to such political subdivision, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the revenues accruing to such political subdivision before any other obligation of such political subdivision is met from such revenue.

Number on ballot

125. **Motor Vehicle Fuels Tax. Rail Transit Funding.** (Statutes 1990, Resolution Chapter 55, ACA 32)

[Rejected by electors November 6, 1990.]

PROPOSED AMENDMENT TO ARTICLE XIX

SECTION 1. Revenues from taxes imposed by the state on motor vehicle fuels for use in motor vehicles upon public streets and highways, over and above the costs of collection and any refunds authorized by law, shall be used for the following purposes:

(a) The research, planning, construction, improvement, maintenance, and operation of public streets and highways (and their related public facilities for nonmotorized traffic), including the mitigation of their environmental effects, the payment for property taken or damaged for ~~such~~ *those* purposes, and the administrative costs necessarily incurred in the foregoing purposes.

(b) The research, planning, construction, and improvement of exclusive public mass transit guideways (and their related fixed facilities), including the mitigation of their environmental effects, the payment for property taken or damaged for those purposes, the administrative costs necessarily incurred in the foregoing purposes, *the acquisition of rail transit vehicles and rail transit equipment which operate only on exclusive public mass transit guideways,* and the maintenance of the structures and the immediate right-of-way for ~~the~~ public mass transit guideways, but excluding the maintenance and operating costs for mass transit power systems and mass transit passenger facilities, vehicles, equipment, and services.

Number on ballot

126. **Alcoholic Beverages. Taxes.** (Statutes 1990, Resolution Chapter 56, ACA 38)

[Rejected by electors November 6, 1990.]

PROPOSED AMENDMENT TO ARTICLE XIII B AND ADDITION OF ARTICLE XXII

First—That the Legislature hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 13 to Article XIII B thereof, to read:

SEC. 13. (a) For the 1990–91 fiscal year, "proceeds of taxes" do not include any taxes collected in accordance with Section 5 of Article XXII during that fiscal year.

(b) For fiscal years beginning on or after July 1, 1991, the appropriations limit of the state shall be the appropriations limit for the 1990–91 fiscal year as otherwise determined pursuant to this article, as increased by an amount equal to the amount of revenue received for the 1991–92 fiscal year from the taxes imposed pursuant to Section 5 of Article XXII, and as further adjusted pursuant to this article.

Second—That the Legislature hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Article XXII, to read:

Article XXII. Alcoholic Beverage Excise Taxes and Surtaxes

SECTION 1 Taxes or fees specifically imposed on the manufacture, importation, storage, distribution, sale, consumption, or use of alcoholic beverages may be levied only as provided in Sections 3, 4, and 5 of this article, or by the Legislature pursuant to Section 22 of Article XX and Section 3 of Article XIII A. Taxes or fees, which are imposed or authorized by the Legislature, and which are broadly applicable to the manufacture, importation, storage, distribution, sale, consumption, or use of tangible personal property, may be applied in the case of alcoholic beverages.

SEC 2. Except as provided by the Legislature, the taxes imposed under Sections 3, 4, and 5 are in lieu of all county, city (including a charter city), or district taxes on the sale of alcoholic beverages

SEC. 3 An excise tax is imposed upon all beer and wine sold in this State by a manufacturer, winegrower, importer, or seller of beer or wine selling beer or wine with respect to which no tax has been paid within areas over which the United States government exercises jurisdiction, at the following rates.

(a) On all beer, one dollar and twenty-four cents ($1.24) for every barrel containing 31 gallons and at a proportionate rate for any other quantity

(b) On all still wines containing not more than 14 percent of absolute alcohol by volume, one cent ($0.01) per wine gallon and at a proportionate rate for any other quantity.

(c) On all still wines containing more than 14 percent of absolute alcohol by volume, two cents ($0.02) per wine gallon and at a proportionate rate for any other quantity

(d) On champagne, sparkling wine, excepting sparkling hard cider, whether naturally or artificially carbonated, thirty cents ($0.30) per wine gallon and at a proportionate rate for any other quantity.

(e) On sparkling hard cider, two cents ($0 02) per wine gallon and at a proportionate rate for any other quantity.

SEC. 4. An excise tax is imposed upon all distilled spirits sold in this state by a manufacturer, distilled spirits manufacturer's agent, brandy manufacturer, rectifier, wholesaler, common carrier with respect to sales made upon boats, trains, and airplanes, person licensed to sell distilled spirits upon boats, trains, and airplanes, or seller of distilled spirits selling distilled spirits with respect to which no tax has been paid within areas over which the United States government exercises jurisdiction, at the following rates:

(a) On all distilled spirits of proof strength or less, two dollars ($2) per wine gallon and at a proportionate rate for any other quantity, and on all nonliquid

distilled spirits containing 50 percent or less alcohol by weight, two cents ($0.02) per ounce avoirdupois and at a proportionate rate for any other quantity.

(b) On all distilled spirits in excess of proof strength and all nonliquid distilled spirits containing more than 50 percent alcohol by weight, two times the rate specified in subdivision (a).

SEC. 5. On and after March 1, 1991, an excise surtax is hereby imposed upon all beer and wine sold in this state by a manufacturer, winegrower, or importer, and upon all distilled spirits sold in this state by a manufacturer, distilled spirits manufacturer's agent, brandy manufacturer, winegrower, importer, rectifier, wholesaler, common carrier with respect to distilled spirits sales made upon boats, trains, and airplanes, or persons licensed to sell distilled spirits upon boats, trains, and airplanes, and upon sellers of beer, wine, or distilled spirits with respect to which no tax has been paid within areas over which the United States government exercises jurisdiction, at the following rates:

(a) On all beer, sixteen cents ($0.16) per gallon and at a proportionate rate for any other quantity.

(b) On all still wines containing not more than 14 percent of absolute alcohol by volume, nineteen cents ($0.19) per wine gallon and at a proportionate rate for any other quantity.

(c) On all still wines containing more than 14 percent of absolute alcohol by volume, eighteen cents ($0.18) per wine gallon and at a proportionate rate for any other quantity

(d) On sparkling hard cider, eighteen cents ($0.18) per wine gallon and at a proportionate rate for any other quantity.

(e) On all distilled spirits of proof strength or less, one dollar and thirty cents ($1.30) per wine gallon and at a proportionate rate for any other quantity.

(f) On all distilled spirits in excess of proof strength, two dollars and sixty cents ($2.60) per wine gallon and at a proportionate rate for any other quantity.

(g) Except with respect to beer and wine in the possession of an alcoholic beverage manufacturer, and except with respect to distilled spirits in the possession of a distilled spirits manufacturer, wholesaler, or importer, the Legislature shall impose, by appropriate legislation, floor stock taxes in amounts equal to the surtaxes imposed by this section upon all alcoholic beverages upon which the surtaxes have not been paid, which are in the possession at 2:01 a.m on March 1, 1991, of any person licensed pursuant to the second paragraph of Section 22 of Article XX Any floor stock taxes with respect to alcoholic beverages shall become due and payable by remittance to the State Board of Equalization 120 days after the date upon which the floor tax is determined

SEC 6. The excise taxes and surtaxes imposed under Sections 3, 4, and 5 are intended to replace and therefore shall supercede the excise taxes previously imposed pursuant to statutes. The excise taxes and surtaxes imposed under Sections 3, 4, and 5 shall be subject to credits, refunds, and exemptions as described in statutes imposing those excise taxes immediately prior to the effective date of this article. The Legislature shall have the power to modify, add to, or repeal credits, refunds, and exemptions. All taxes, interest, and penalties imposed and all amounts of tax required to be paid to the State under this article shall be paid in the form of remittances payable to the State of California and deposited into the General Fund at the times and in the manner that the Legislature may prescribe. This article shall be self-executing, but nothing herein shall prohibit the Legislature from enacting laws implementing and not inconsistent with its provisions.

SEC. 7. The measure adding this section is inconsistent with and intended as an alternative to any initiative measure that appears on the same ballot that imposes taxes or surtaxes upon alcoholic beverages. In the event that the measure adding this section and another measure that imposes taxes or surtaxes upon alcoholic beverages are adopted at the same election, a conflict shall be deemed to exist between the measures and the measure which receives the greater number of votes shall prevail in its entirety and the other measure shall be null and void in its entirety. The taxes and surtaxes imposed by the measure adding this section shall not be imposed in addition to another tax or surtax upon alcoholic beverages that is adopted at the same election.

SEC. 8. The provisions of the initiative measure, entitled the Taxpayers Right to Vote Act of 1990, if adopted by the voters at the November 6, 1990, general election, shall not apply to this measure.

INITIATIVE CONSTITUTIONAL AMENDMENTS

Number on ballot

136. **State, Local Taxation.**

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED LAW

THE TAXPAYERS RIGHT-TO-VOTE ACT OF 1990

SECTION 1. Title. This Act shall be known and may be cited as The Taxpayers Right-to-Vote Act of 1990.

SECTION 2. Findings and Declarations. The People of the State of California hereby find and declare as follows.

(a) Taxes should not be imposed on the People of California without their consent.

(b) In order to protect all taxpayers from sudden and unreasonable increases in general taxes which would threaten their economic security, limitations should be placed on general tax increases and the imposition of new general taxes.

(c) In order to protect targeted segments of taxpayers from special taxes imposed upon them alone, limitations should be placed on special tax increases and the imposition of new special taxes by special interests.

(d) No increase in special taxes imposed by counties, special districts, charter cities, or general law cities, and no new special tax imposed by these entities, should take effect without a two-thirds vote of the People.

(e) No increase in special taxes imposed by the State of California, and no new special tax imposed by the State of California, should take effect without a two-thirds vote of the People or a two-thirds vote of both houses of the Legislature.

(f) No increase in general taxes imposed by the State of California, and no new general tax imposed by the State of California, should take effect without a majority vote of the People or a two-thirds vote of both houses of the Legislature.

(g) No increase in general taxes imposed by counties, special districts, charter cities, and general law cities, and no new general tax imposed by these entities, should take effect without a majority vote of the People.

(h) No excessive and unfair special taxes with respect to tangible personal property should be imposed.

(i) In keeping with the spirit of Proposition 13, except as provided in Article XIII A, §§ 1 and 2 of the California Constitution, no new ad valorem taxes on real property or sales or transaction taxes on the sale of real property may be imposed.

SECTION 3. Purpose and Intent. The People of the State of California declare that their purpose and intent in enacting this measure is as follows:

(a) To prevent the imposition of any new State general tax or an increase in any existing State general tax without a majority vote of the People or a two-thirds vote of both houses of the Legislature.

(b) To prevent the imposition of any new State special tax or an increase in any existing State special tax without a two-thirds vote of the People or a two-thirds vote of both houses of the Legislature.

(c) To prevent the imposition of any new local general tax or an increase in any existing local general tax without a majority vote of the People.

(d) To prevent the imposition of any new local special tax or an increase in any existing local special tax without a two-thirds vote of the People.

(e) To protect against the imposition of excessive and unfair special taxes with respect to tangible personal property.

(f) To prohibit the imposition of any new ad valorem taxes on real property or any transaction tax or sales tax on the sale or transfer of real property except as provided in Article XIII A, §§ 1 and 2 of the California Constitution.

SECTION 4. Section 3 of Article XIII A of the California Constitution is repealed.

~~SECTION 3. From and after the effective date of this article, any changes in State taxes enacted for the purpose of increasing revenues collected pursuant thereto whether by increased rates or changes in methods of computation must be imposed by an Act passed by not less than two-thirds of all members elected to each of the two houses of the Legislature, except that no new ad valorem taxes on real property, or sales or transaction taxes on the sales of real property may be imposed.~~

SECTION 5. State Government General and Special Tax Limitation. Section 3 is hereby added to Article XIII A of the California Constitution to read as follows:

SECTION 3 (a) From and after the effective date of this section, any increases in State general or special taxes whether by increased rates, changes in methods of computation, any other increase in an existing tax, or any new tax must be imposed by an Act passed by not less than two-thirds of all members elected to each of the two houses of the Legislature, or as provided in subsection (b)

(b) From and after the effective date of this section, any increases in State taxes whether by increased rates, changes in methods of computation, any other increase in an existing tax, or any new tax also may be enacted by an initiative passed, in the case of a general tax, by not less than a majority vote of the voters voting in an election on the issue or, in the case of a special tax, and notwithstanding Article II, § 10(a) of the California Constitution, by not less than a two-thirds vote of the voters voting in an election on the issue, or as provided in subsection (a).

(c) Except as provided in Article XIII A, §§ 1 and 2 of the California Constitution, no new ad valorem taxes on real property or sales or transaction taxes on the sale of real property may be imposed.

(d) Any special tax with respect to tangible personal property enacted on or after November 6, 1990, must be an ad valorem tax and must comply with the provisions of Article XIII, § 2 of the California Constitution.

(e) As used in this section, "general taxes" are taxes, including, but not limited to, income taxes, excise taxes, and surtaxes, levied for the general fund to be utilized for general governmental purposes; "special taxes" are taxes, including, but not limited to, income taxes, excise taxes, surtaxes, and tax increases, levied for a specific purpose or purposes or deposited into a fund or funds other than the general fund. Taxes on motor vehicle fuel shall be considered general taxes for purposes of this section.

SECTION 6. Section 4 of Article XIII A of the California Constitution is repealed.

~~SECTION 4. Cities, Counties and special districts, by a two-thirds vote of the qualified electors of such district, may impose special taxes on such district, except ad valorem taxes on real property or a transaction tax or sales tax on the sale of real property within such City, County or special district.~~

SECTION 7. Local Government and District General and Special Tax Limitation. Section 4 is hereby added to Article XIII A of the California Constitution to read as follows:

SECTION 4. (a) Notwithstanding Article II, §9(a) of the California Constitution, no local government or district, whether or not authorized to levy a property tax, may impose any new general tax or increase any existing general tax on such locality or district unless and until such proposed general tax or increase is submitted to the electorate of the local government or of the district and enacted by a majority vote of the voters voting in an election on the issue.

(b) Notwithstanding Article II, §9(a) of the California Constitution, no local government or district may impose any new special tax or increase any existing special tax on such locality or district unless and until such proposed special tax or increase is submitted to the electorate of the local government or of the district and enacted by a two-thirds vote of the voters voting in an election on the issue. The revenues from any special tax shall be used only for the purpose or service for which it was imposed, and for no other purpose whatsoever.

(c) Except as provided in Article XIII A, §§ 1 and 2 of the California Constitution, no local government or district may impose any new ad valorem taxes on real property or a transaction tax or sales tax on the sale or transfer of real property within that local government or district.

(d) A tax subject to the vote requirements of subdivisions (a) or (b) of this section shall be proposed by an ordinance or resolution of the legislative body of the local government or of the district. The ordinance or resolution shall include the type of tax and maximum rate, if any, of tax to be levied, the method of collection, the date upon which an election shall be held on the issue, and, if a special tax, the purpose or service for which its imposition is sought.

(e) As used in this section, "local government" means any city, county, city and county, including a chartered city or county or city and county, or any public or municipal corporation, "district" means an agency of the state, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries.

(f) As used in this section, "general taxes" are taxes levied for the general fund to be utilized for general governmental purposes; "special taxes" are taxes levied for a specific purpose or purposes or deposited into a fund or funds other than the general fund. As used in this section, "voter" is a person who is eligible to vote under the provisions governing the applicable election. All taxes imposed by any entity of local government shall be deemed to be either general taxes or

special taxes. Sales and use taxes voted on at a local level for transportation purposes shall be considered general taxes for purposes of this section

SECTION 8. Disaster and Emergency Relief. Section 7 is hereby added to Article XIII A of the California Constitution to read as follows:

SECTION 7. The provisions of sections 3(a) and (d) of this article which impose limits on new or existing State taxes may be suspended by a two-thirds vote of the Legislature and the approval of the Governor in order to permit funds to be raised for up to two years for disaster relief required by earthquake, fire, flood, or similar natural disaster or for emergencies declared by the Governor. The provisions of sections 4(a) and (b) of this article which impose limits on new or existing local taxes may be suspended by a two-thirds vote of the legislative body of the local government or district, as defined in section 4(e) above, in order to permit funds to be raised for up to two years for disaster relief required by earthquake, fire, flood, or similar natural disaster or for emergencies declared by the Governor.

SECTION 9. Liberal Construction. The provisions of this Act shall be liberally construed to effect its purposes.

SECTION 10. Effective Date. This Act shall take effect on November 6, 1990.

SECTION 11. Conflicting Law. Pursuant to Article II, §10(b) of the California Constitution, if this measure and another measure appear on the same ballot and conflict, and this measure receives more affirmative votes than such other measure, this measure shall become effective and control in its entirety and said other measure shall be null and void and without effect. If the constitutional amendments contained in this measure conflict with statutory provisions of another measure on the same ballot, the constitutional provisions of this measure shall become effective and control in their entirety and said other measure shall be null and void and without effect irrespective of the margins of approval. This initiative is inconsistent with any other initiative on the same ballot that enacts any tax, that employs a method of computation, or that contains a rate not authorized by this measure, and any such other measure shall be null and void and without effect.

SECTION 12. Severability. If any provision of this Act, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but shall remain in full force and effect, and to this end the provisions of this Act are severable.

Number on ballot

137. **Initiative and Referendum Process.**

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED AMENDMENT TO ARTICLE II

Section 11.5 is added to Article II of the California Constitution as follows:

SEC 11.5. The power of initiative and referendum is reserved to the people and laws affecting the power shall be submitted to the people. A statute enacted after the adoption of this section, which provides the manner in which statewide or local initiative or referendum petitions are circulated, presented, or certified or the manner in which measures are submitted to the electors or otherwise establishes procedures or requirements for a statewide or local initiative or

referendum including the initiative powers set forth in section 3 of Article XI, shall become effective only when approved by the electors.

INITIATIVE CONSTITUTIONAL AMENDMENTS AND STATUTES

Number on ballot

129. **Drug Enforcement, Prevention, Treatment, Prisons. Bonds.**

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED LAW

TITLE I.

PURPOSE

SECTION 1. This act shall be known as the Comprehensive Crime Reduction and Drug Control Act of 1990.

SECTION 2. We, the People of the State of California, find and declare:

(a) As Californians, we have the inalienable right to be free from crime, to be secure in our homes, to be safe on our streets, and to be protected in our schools.

(b) Government has failed to assure our right to be free from crime.

(1) Too few criminals are identified and apprehended.

(2) Those who are apprehended are accorded rights by our courts and by our state Legislature that prevent administration of swift and sure justice, that have unnecessarily expanded the rights of accused criminals far beyond that which is required by the United States Constitution, that have unnecessarily added to the costs of criminal cases, that have diverted the judicial process from its function as a quest for truth, and that have too often ignored the rights of crime victims. Comprehensive reforms are needed in order to restore balance and fairness to our criminal justice system.

(3) Those who are convicted too often evade the full measure of punishment the law was intended to provide because California suffers from an acute shortage of prison capacity, often resulting in prisoners being released before serving their full terms, frequently to return to their criminal enterprises upon release.

(c) Certainty and swiftness of punishment deter crime:

(1) Delays in apprehension and the prospect of evading apprehension altogether diminish the deterrent effect of the criminal law.

(2) Convoluted procedures that obstruct the pursuit of truth have protracted criminal trials, needlessly delaying punishment and impeding deterrence.

(3) Inadequate prison and jail facilities lead to early offender release and the prospect of their evading the full punishment of the law.

(4) The death penalty is a deterrent to murder, but protracted delays in capital trials impede its effectiveness as a deterrent.

(d) Much of our crime problem can be traced to illicit drugs, particularly cocaine and, most recently, crack cocaine. The widespread use of such drugs has conferred vast wealth on the dealers, has contributed to the dramatic expansion of California's street gangs, and has attracted international drug traffickers who increasingly base their smuggling and national distribution in California. The lucrative narcotics trade in turn spawns a wide range of crimes—ranging from drug-law violations to violent crimes of all kinds. Drugs are California's largest and fastest-growing crime problem. They threaten to overwhelm the entire

criminal justice system, from police to courts to prisons. Drug-related crime is a problem of such size and scope that it requires a comprehensive solution.

(e) Increased efforts to prevent children from using drugs, and to treat drug addicts, can reduce the demand for drugs, thereby diminishing the profitability of the drug trade and the threat of drug-related crime.

(f) The federal government has failed to acknowledge and respond to the acute dangers California faces because of the failure to secure our international borders and the presence here of traffickers, driven from other states by federal law enforcement programs. By failing to allocate the resources it has committed to other states, the federal government has increased the concentration of drug traffickers here.

(g) Increased law-enforcement resources in California applied in a coordinated program of drug-interdiction can reduce the volume of drugs poisoning our society and can increase the apprehension of the traffickers.

(h) Merely increasing the rate of apprehension of criminals would clog already gridlocked courts. Merely increasing the rate of conviction of criminals is of little value without prisons in which to hold them. A coordinated program to improve law enforcement, the administration of justice, and correctional programs is necessary to deal effectively with the surge in drug-related crime and violent crimes of all kinds.

(i) Additional state revenues are necessary to fund the increased law enforcement, treatment, and crime prevention efforts, which, together with speedier administration of justice and increased prison capacity, can make Californians safer from crime and substance abuse. Revenues sufficient for this purpose can be raised by conforming California corporate tax law to federal law, and thereby closing loopholes in California law.

SECTION 3. The People adopt this act for the following purposes.

(a) To provide a coordinated program that will

(1) improve law enforcement and increase apprehension of criminal offenders,

(2) improve the administration of criminal justice, to assure that those accused of crimes are dealt with fairly and swiftly, and

(3) provide the capacity to incarcerate those who commit crimes for the full measure of their punishment;

(b) To reform the law as developed in numerous California Supreme Court decisions and as set forth in the statutes of this state in order to restore balance to our criminal justice system, to create a system in which justice is swift and fair, and to create a system in which violent criminals receive just punishment, in which crime victims and witnesses are treated with care and respect, and in which society as a whole can be free from the fear of crime in our homes, neighborhoods, and schools; and

(c) To provide special programs to deal with those who are responsible for a major share of the crime afflicting us all, those who use and traffic in illicit drugs.

TITLE II.

INCREASED DRUG INTERDICTION AND CRIMINAL APPREHENSION

SECTION 4. Article 7.7 (commencing with Section 16419) is added to Chapter 2 of Part 2 of Division 2 of Title 2 of the Government Code, to read:

Article 7.7. California Anti-Drug Superfund

16419. The California Anti-Drug Superfund is hereby created in the State Treasury. All moneys in the fund shall be invested pursuant to Sections 16470 through 16474, inclusive, of the Government Code.

16419.1. (a) The Controller shall transfer from the General Fund to the California Anti-Drug Superfund an amount equal to one hundred two million dollars ($102,000,000) by January 1, 1991, four hundred fifty-nine million dollars ($459,000,000) by July 15, 1991, four hundred seven million dollars ($407,000,000) by January 1, 1993, and one hundred eighty-three million dollars ($183,000,000) by January 1, 1994.

(b) (1) For each fiscal year commencing on or after July 1, 1994, the Franchise Tax Board shall make an estimate of the amount of additional revenues that will be generated in that fiscal year by the act adding this article. This estimate shall be transmitted to the Controller prior to the commencement of the fiscal year to which it relates.

(2) By July 15, 1994, and by July 15 of each subsequent fiscal year, the Controller shall transfer from the General Fund to the California Anti-Drug Superfund an amount equal to the amount determined under paragraph (1) as additional revenues for that fiscal year

16419.2. Notwithstanding Section 13340, all money in the California Anti-Drug Superfund is hereby continuously appropriated without regard to fiscal years as follows:

(a) To the Department of Justice to implement the CrackDown Task Force Program specified in Section 15029 of the Government Code, or to match any available federal funds which are to be expended for similar purposes, as follows:

(1) Twenty-two million dollars ($22,000,000) by July 15, 1991.

(2) Twenty-two million eight hundred eighty thousand dollars ($22,880,000) by July 15, 1992.

(3) Twenty-three million seven hundred ninety-five thousand dollars ($23,795,000) by July 15, 1993.

(4) Twenty-four million seven hundred forty-seven thousand dollars ($24,747,000) by July 15, 1994

(5) Twenty-five million seven hundred thirty-seven thousand dollars ($25,737,000) by July 15, 1995.

(6) Twenty-six million seven hundred sixty-six thousand dollars ($26,766,000) by July 15, 1996.

(7) Twenty-seven million eight hundred thirty-seven thousand dollars ($27,837,000) by July 15, 1997

(b) To the Controller for allocation to all county sheriffs' departments and city police departments in this state, to be used only for law enforcement and crime prevention activities related to the abuse of controlled substances, to provide added protection for schools and neighborhoods besieged by gangs and drugs, or to match any available federal funds which are to be expended for similar purposes, as determined to be necessary by the sheriffs or chiefs of police of those counties or cities, as follows:

(1) Sixty million dollars ($60,000,000) by January 1, 1991.

(2) One hundred twenty million dollars ($120,000,000) by July 15, 1991

(3) One hundred twenty-four million eight hundred thousand dollars ($124,800,000) by July 15, 1992.

(4) One hundred twenty-nine million seven hundred ninety-two thousand dollars ($129,792,000) by July 15, 1993.

(5) One hundred thirty-four million nine hundred eighty-four thousand dollars ($134,984,000) by July 15, 1994.

(6) One hundred forty million three hundred eighty-three thousand dollars ($140,383,000) by July 15, 1995.

(7) One hundred forty-five million nine hundred ninety-eight thousand dollars ($145,998,000) by July 15, 1996.

(8) One hundred fifty-one million eight hundred thirty-eight thousand dollars ($151,838,000) by July 15, 1997.

(9) (A) All funds specified in this subdivision (b) shall be distributed to all participating county sheriffs' departments and city police departments based upon the most recent estimates of the population of the departments' service areas, as determined in the manner specified by Section 11005 of the Revenue and Taxation Code. For this purpose, except as specified in subparagraph (B), the estimate of the population of counties shall not include the population of city police department service areas therein.

(B) For a charter city and county, the total annual funds specified in subparagraph (A) which are available to a charter city and county shall be divided equally between the county sheriff's department and the city police department

(c) To the Controller for allocation to all county boards of supervisors in this state, to be used only for controlled substance treatment and substance-abuse prevention programs (including treatment and substance-abuse prevention in schools), enhancement of probation supervision of offenders with drug-related problems, prosecution and processing of controlled substance offenders, or to match any available federal funds which are to be expended for similar purposes, as determined to be necessary by those county boards of supervisors, as follows:

(1) Forty million dollars ($40,000,000) by January 1, 1991.

(2) Eighty million dollars ($80,000,000) by July 15, 1991.

(3) Eighty-three million, two hundred thousand dollars ($83,200,000) by July 15, 1992

(4) Eighty-six million, five hundred twenty-eight thousand dollars ($86,528,000) by July 15, 1993.

(5) Eighty-nine million, nine hundred eighty-nine thousand dollars ($89,989,000) by July 15, 1994.

(6) Ninety-three million, five hundred eighty-nine thousand dollars ($93,589,000) by July 15, 1995.

(7) Ninety-seven million, three hundred thirty-two thousand dollars ($97,332,000) by July 15, 1996.

(8) One hundred one million, two hundred twenty-six thousand dollars ($101,226,000) by July 15, 1997.

(9) All funds specified in this subdivision (c) shall be distributed to all participating county boards of supervisors based upon the most recent estimates of the population of the participating counties as determined in the manner specified by Section 11005 of the Revenue and Taxation Code.

(d) To the Controller and the Franchise Tax Board in an amount equal to their costs incurred in connection with their duties under this article as those costs are determined by the Department of Finance.

(e) The funds provided under this article shall not supplant existing funds for substance abuse programs.

16419.3. (a) On January 1, 1992, and on January 1 of each year thereafter, all county sheriff's departments, city police departments, and county boards of

supervisors which received funds in the immediately preceding fiscal year under this article shall provide a report to the Auditor General disclosing how those funds were expended.

(b) Based on the reports provided under subdivision (a), and any other relevant information, the Auditor General shall make a determination as to whether the funds received under this article were expended for proper purposes or whether those funds supplanted other funds for substance abuse programs. On or before June 1, 1992, and on or before June 1 of each subsequent year, the Auditor General shall report its findings to the Legislature and the Controller.

(c) Based upon the report submitted under subdivision (b), for years beginning on or after July 1, 1992, the Controller shall, for one year, withhold any funds pursuant to this article from those county sheriffs' departments, city police departments, or county boards of supervisors found in the report to have, in the preceding year, used funds provided under this article to supplant other funds for substance abuse purposes, or otherwise did not use the funds for the purposes of this article.

16419.4. The Joint Legislative Audit Committee shall evaluate the California Anti-Drug Superfund program provided by this article and make a report of that evaluation to the Legislature before January 1, 1998. The report shall include, among other things, the following:

(a) An accounting of how the funds were expended by local law enforcement agencies and county boards of supervisors.

(b) The effect of the program on controlled substance-related arrests, criminal activity, and prosecutions.

(c) The effect of the program on controlled substance abuse and treatment.

16419.5. Should the Controller determine that the funds available in the California Anti-Drug Superfund will not be sufficient to permit a given year's allocations in the amounts provided in Section 16419.2, the Controller shall reduce the allocations to the Department of Justice, county sheriffs' departments, city police departments, and county boards of supervisors by an equal percentage.

16419.6. The Controller may promulgate rules and regulations he or she deems necessary to carry out the provisions of this article.

16419.7. This article shall remain in effect only until June 30, 1998, and as of that date is repealed. Any funds remaining in the California Anti-Drug Superfund on that date are hereby appropriated to the Controller for allocation to the Department of Justice, county sheriffs' departments, city police departments, and county boards of supervisors in the same proportion as provided in Section 16419.2.

SECTION 5. Section 9.5 is added to Article XIII B of the Constitution, to read:

SEC. 9.5. "Appropriations subject to limitation" for each entity of government do not include appropriations from the California Anti-Drug Superfund. No adjustment in the appropriation limit of any entity of government shall be required pursuant to Section 3 as a result of revenue being deposited in or appropriated from the California Anti-Drug Superfund.

This section shall remain in effect only until June 30, 1998, and as of that date is repealed.

TITLE III.

CRIMINAL JUSTICE REFORM

SECTION 6. Section 14.1 of Article I of the California Constitution, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

SEC. 14.1. If a felony is prosecuted by indictment, there shall be no postindictment preliminary hearing.

SECTION 7. Section 24 of Article I of the California Constitution, as amended by Proposition 115 at the June 5, 1990 Primary Election, is further amended to read:

SEC. 24. Rights guaranteed by this Constitution are not dependent on those guaranteed by the United States Constitution.

In criminal cases the rights of a defendant to equal protection of the laws, to due process of law, to the assistance of counsel, to be personally present with counsel, to a speedy and public trial, to compel the attendance of witnesses, to confront the witnesses against him or her, to be free from unreasonable searches and seizures, to privacy *insofar as it relates to the admissibility of evidence*, to not be compelled to be a witness against himself or herself, to not be placed twice in jeopardy for the same offense, and to not suffer the imposition of cruel or unusual punishment, shall be construed by the courts of this state in a manner consistent with the Constitution of the United States. This Constitution shall not be construed by the courts to afford greater rights to criminal defendants than those afforded by the Constitution of the United States, nor shall it be construed to afford greater rights to minors in juvenile proceedings on criminal causes than those afforded by the Constitution of the United States. *Nothing in this section shall be construed to abridge the right to privacy as it affects reproductive choice.*

This declaration of rights may not be construed to impair or deny others retained by the people.

SECTION 8. Section 29 of Article I of the California Constitution, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

SEC. 29. In a criminal case, the people of the State of California have the right to due process of law and to a speedy and public trial.

SECTION 9. Section 30 of Article I of the California Constitution, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

SEC. 30. (a) This Constitution shall not be construed by the courts to prohibit the joining of criminal cases as prescribed by the Legislature or by the people through the initiative process.

(b) In order to protect victims and witnesses in criminal cases, hearsay evidence shall be admissible at preliminary hearings, as prescribed by the Legislature or by the people through the initiative process.

(c) In order to provide for fair and speedy trials, discovery in criminal cases shall be reciprocal in nature, as prescribed by the Legislature or by the people through the initiative process.

SECTION 10. Section 223 of the Code of Civil Procedure is repealed.

~~223. In criminal cases:~~

~~(a) It shall be the duty of the trial court to examine the prospective jurors to select a fair and impartial jury. Except as provided in Section 223.5, the trial court shall permit reasonable examination of prospective jurors by counsel for the people and for the defendant, such examination to be conducted orally and directly by counsel.~~

~~(b) In each case it shall be the duty of the trial judge to provide for a voir dire process as speedy, focused, and informative as possible, and to protect prospective jurors from undue harassment and embarrassment and from inordinately extensive, repetitive, or unfocused examinations.~~

~~(c) In discharging its duties, the court shall have discretion and control with respect to the form and subject matter and duration of voir dire examination. In exercising that discretion and control, the trial judge shall be guided by, among other criteria, the following:~~

~~(1) The nature of the charges and the potential consequences of a conviction.~~

~~(2) Any unique or complex elements, legal or factual, in the case.~~

~~(3) The individual responses or conduct of jurors which may reveal attitudes inconsistent with suitability to serve as a fair and impartial juror in the particular case.~~

~~(4) The attorneys' need, under the circumstances, for information on which to exercise peremptory challenges intelligently.~~

~~(d) The trial court shall not permit questions which the trial court concludes would, as their sole purpose, do any of the following:~~

~~(1) Educate the jury panel to the particular facts of the case.~~

~~(2) Compel the jurors to commit themselves to vote in a particular way.~~

~~(3) Prejudice the jury for or against any party.~~

~~(4) Argue the case.~~

~~(5) Indoctrinate the jury.~~

~~(6) Instruct the jury in a matter of law.~~

~~(7) Attempt to accomplish any other improper purpose.~~

~~(e) The trial court shall require that questions be phrased by counsel in a neutral and nonargumentative form.~~

SECTION 11. Section 223 of the Code of Civil Procedure, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

223. In a criminal case, the court shall conduct the examination of prospective jurors. However, the court may permit the parties, upon a showing of good cause, to supplement the examination by such further inquiry as it deems proper, or shall itself submit to the prospective jurors upon such a showing, such additional questions by the parties as it deems proper. Voir dire of any prospective jurors shall, where practicable, occur in the presence of the other jurors in all criminal cases, including death penalty cases.

Examination of prospective jurors shall be conducted only in aid of the exercise of challenges for cause.

The trial court's exercise of its discretion in the manner in which voir dire is conducted shall not cause any conviction to be reversed unless the exercise of that discretion has resulted in a miscarriage of justice, as specified in Section 13 of Article VI of the California Constitution.

SECTION 12. Section 223.5 of the Code of Civil Procedure is repealed.

~~223.5. (a) As a pilot project applicable solely to criminal cases in the superior courts in Fresno and Santa Cruz Counties during the period July 1, 1988, to June 30, 1991, inclusive, all questions designed solely for assisting in the intelligent exercise of the right to peremptory challenge and not applicable to the determination of implied or actual bias, shall be propounded by the court. If such a question is requested by the prosecution or by counsel for the defense and is one of the standardized questions developed by the Task Force on Voir Dire, the court shall propound the question unless the court determines that the question is clearly inappropriate. If a nonstandardized question is proposed by the prosecution or by counsel for the defense, the court may propound the question in its discretion.~~

~~(b) The Task Force on Voir Dire shall consist of eight members who shall serve without compensation, two of whom shall be appointed by the Judicial Council,~~

~~two by the Governor, two by the Speaker of the Assembly, and two by the Senate Rules Committee. All appointees shall have been members of the State Bar for at least five years prior to their appointment. The Judicial Council may provide staff to assist the task force.~~

~~All appointments to the Task Force on Voir Dire shall be made on or before March 1, 1988. The task force shall submit to the pilot project counties a list of standardized questions which meet the purposes of subdivision (a) on or before July 1, 1988.~~

~~(c) Notwithstanding the provisions of Section 206, the Judicial Council and any other bona fide research or research organization shall be permitted access to any data regarding the conduct or evaluation of the pilot project. On or before January 1, 1992, the Judicial Council shall report to the Legislature on the effects of the pilot project on the efficiency in jury selection and on any effect on the conviction rate for particular crimes compared to a similar prior period in each pilot project county.~~

SECTION 13. Section 1203.1 of the Evidence Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

1203.1. Section 1203 is not applicable if the hearsay statement is offered at a preliminary examination, as provided in Section 872 of the Penal Code.

SECTION 14. Section 189 of the Penal Code, as amended by Proposition 115 at the June 5, 1990 Primary Election is further amended to read:

189. All murder which is perpetrated by means of a destructive device or explosive, knowing use of ammunition designed primarily to penetrate metal or armor, poison, lying in wait, torture, or by any other kind of willful, deliberate, and premeditated killing, or which is committed in the perpetration of, or attempt to perpetrate, arson, rape, robbery, burglary, mayhem, kidnapping, train wrecking, or any act punishable under Section 286, 288, 288a, or 289, is murder of the first degree; and all other kinds of murders are of the second degree.

As used in this section, "destructive device" shall mean any destructive device as defined in Section 12301, and "explosive" shall mean any explosive as defined in Section 12000 of the Health and Safety Code.

To prove the killing was "deliberate and premeditated," it shall not be necessary to prove the defendant maturely and meaningfully reflected upon the gravity of his or *her* act.

SECTION 15. Section 190.2 of the Penal Code, as amended by Propositions 114 and 115 at the June 5, 1990 Primary Election, is further amended to read:

190.2. (a) The penalty for a defendant found guilty of murder in the first degree shall be death or confinement in state prison for a term of life without the possibility of parole in any case in which one or more of the following special circumstances has been found under Section 190.4, to be true:

(1) The murder was intentional and carried out for financial gain.

(2) The defendant was previously convicted of murder in the first degree or second degree. For the purpose of this paragraph an offense committed in another jurisdiction which if committed in California would be punishable as first or second degree murder shall be deemed murder in the first or second degree.

(3) The defendant has in this proceeding been convicted of more than one offense of murder in the first or second degree.

(4) The murder was committed by means of a destructive device, bomb, or explosive planted, hidden or concealed in any place, area, dwelling, building or

structure, and the defendant knew or reasonably should have known that his or her act or acts would create a great risk of death to a human being or human beings.

(5) The murder was committed for the purpose of avoiding or preventing a lawful arrest or to perfect, or attempt to perfect an escape from lawful custody.

(6) The murder was committed by means of a destructive device, bomb, or explosive that the defendant mailed or delivered, attempted to mail or deliver, or cause to be mailed or delivered and the defendant knew or reasonably should have known that his or her act or acts would create a great risk of death to a human being or human beings.

(7) The victim was a peace officer as defined in Section 830.1, 830.2, 830.3, 830.31, 830.32, 830.33, 830.34, 830.35, 830.36, 830.37, 830.4, 830.5, 830.6, 830.10, 830.11 or 830.12, who, while engaged in the course of the performance of his or her duties, was intentionally killed, and the defendant knew or reasonably should have known that the victim was a peace officer engaged in the performance of his or her duties; or the victim was a peace officer as defined in the above enumerated sections of the Penal Code, or a former peace officer under any of such sections, and was intentionally killed in retaliation for the performance of his or her official duties.

(8) The victim was a federal law enforcement officer or agent, who, while engaged in the course of the performance of his or her duties, was intentionally killed, and the defendant knew or reasonably should have known that the victim was a federal law enforcement officer or agent, engaged in the performance of his or her duties; or the victim was a federal law enforcement officer or agent, and was intentionally killed in retaliation for the performance of his or her official duties.

(9) The victim was a firefighter as defined in Section 245.1, who, while engaged in the course of the performance of his or her duties, was intentionally killed, and the defendant knew or reasonably should have known that the victim was a firefighter engaged in the performance of his or her duties.

(10) The victim was a witness to a crime who was intentionally killed for the purpose of preventing his or her testimony in any criminal or juvenile proceeding, and the killing was not committed during the commission, or attempted commission, of the crime to which he or she was a witness; or the victim was a witness to a crime and was intentionally killed in retaliation for his or her testimony in any criminal or juvenile proceeding. As used in this paragraph, "juvenile proceeding" means a proceeding brought pursuant to Section 602 or 707 of the Welfare and Institutions Code.

(11) The victim was a prosecutor or assistant prosecutor or a former prosecutor or assistant prosecutor of any local or state prosecutor's office in this state or any other state, or a federal prosecutor's office and the murder was intentionally carried out in retaliation for or to prevent the performance of the victim's official duties.

(12) The victim was a judge or former judge of any court of record in the local, state or federal system in the State of California or in any other state of the United States and the murder was intentionally carried out in retaliation for or to prevent the performance of the victim's official duties

(13) The victim was an elected or appointed official or former official of the federal government, a local or state government of California, or of any local or

state government of any other state in the United States and the killing was intentionally carried out in retaliation for or to prevent the performance of the victim's official duties.

(14) The murder was especially heinous, atrocious, or cruel, manifesting exceptional depravity. As utilized in this section, the phrase especially heinous, atrocious or cruel manifesting exceptional depravity means a conscienceless, or pitiless crime which is unnecessarily torturous to the victim.

(15) The defendant intentionally killed the victim while lying in wait.

(16) The victim was intentionally killed because of his or her race, color, religion, nationality or country of origin.

(17) The murder was committed while the defendant was engaged in or was an accomplice in the commission of, attempted commission of, or the immediate flight after committing or attempting to commit the following felonies:

(i) Robbery in violation of Section 211 or 212.5.

(ii) Kidnapping in violation of Section 207 or 209.

(iii) Rape in violation of Section 261.

(iv) Sodomy in violation of Section 286.

(v) The performance of a lewd or lascivious act upon person of a child under the age of 14 in violation of Section 288.

(vi) Oral copulation in violation of Section 288a.

(vii) Burglary in the first or second degree in violation of Section 460.

(viii) Arson in violation of subdivision (b) of Section 451.

(ix) Train wrecking in violation of Section 219.

(x) Mayhem in violation of Section 203.

(xi) Rape by instrument in violation of Section 289.

(18) The murder was intentional and involved the infliction of torture.

(19) The defendant intentionally killed the victim by the administration of poison.

(b) Unless an intent to kill is specifically required under subdivision (a) for a special circumstance enumerated therein, an actual killer as to whom such special circumstance has been found to be true under Section 190.4 need not have had any intent to kill at the time of the commission of the offense which is the basis of the special circumstance in order to suffer death or confinement in state prison for a term of life without the possibility of parole.

(c) Every person not the actual killer who, with the intent to kill, aids, abets, counsels, commands, induces, solicits, requests, or assists any actor in the commission of murder in the first degree shall suffer death or confinement in state prison for a term of life without the possibility of parole, in any case in which one or more of the special circumstances enumerated in subdivision (a) of this section has been found to be true under Section 190.4.

(d) Notwithstanding subdivision (c), every person not the actual killer, who, with reckless indifference to human life and as a major participant, aids, abets, counsels, commands, induces, solicits, requests, or assists in the commission of a felony enumerated in paragraph (17) of subdivision (a), which felony results in the death of some person or persons, who is found guilty of murder in the first degree therefor, shall suffer death or confinement in state prison for life without the possibility of parole, in any case in which a special circumstance enumerated in paragraph (17) of subdivision (a) of this section has been found to be true under Section 190.4.

(e) The penalty shall be determined as provided in Sections 190 1, 190 2, 190.3, 190.4, and 190.5.

SECTION 16. Section 190.41 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

190.41. Notwithstanding Section 190.4 or any other provision of law, the corpus delicti of a felony-based special circumstance enumerated in paragraph (17) of subdivision (a) of Section 190.2 need not be proved independently of a defendant's extrajudicial statement.

SECTION 17. Section 190.5 of the Penal Code, as amended by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read.

190.5. (a) Notwithstanding any other provision of law, the death penalty shall not be imposed upon any person who is under the age of 18 at the time of the commission of the crime. The burden of proof as to the age of such person shall be upon the defendant.

(b) The penalty for a defendant found guilty of murder in the first degree, in any case in which one or more special circumstances enumerated in Section 190.2 or 190.25 has been found to be true under Section 190.4, who was 16 years of age or older and under the age of 18 years at the time of the commission of the crime, shall be confinement in the state prison for life without the possibility of parole or, at the discretion of the court, 25 years to life.

(c) The trier of fact shall determine the existence of any special circumstance pursuant to the procedure set forth in Section 190.4.

SECTION 18. Section 206 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

206. Every person who, with the intent to cause cruel or extreme pain and suffering for the purpose of revenge, extortion, persuasion, or for any sadistic purpose, inflicts great bodily injury as defined in Section 12022.7 upon the person of another, is guilty of torture.

The crime of torture does not require any proof that the victim suffered pain.

SECTION 19. Section 206.1 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

206.1. Torture is punishable by imprisonment in the state prison for a term of life.

SECTION 20. Section 859 of the Penal Code, as amended by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

859. When the defendant is charged with the commission of a public offense over which the superior court has original jurisdiction, by a written complaint subscribed under oath and on file in a court within the county in which the public offense is triable, he or she shall, without unnecessary delay, be taken before a magistrate of the court in which the complaint is on file. The magistrate shall immediately deliver to the defendant a copy of the complaint, inform the defendant that he or she has the right to have the assistance of counsel, ask the defendant if he or she desires the assistance of counsel, and allow the defendant reasonable time to send for counsel. However, in a capital case, the court shall inform the defendant that the defendant must be represented in court by counsel at all stages of the preliminary and trial proceedings and that the representation will be at the defendant's expense if the defendant is able to employ counsel or at public expense if he or she is unable to employ counsel, inquire of him or her whether he or she is able to employ counsel and, if so, whether the defendant desires to employ counsel of the defendant's choice or to have counsel assigned for him or her, and allow the defendant a reasonable time to send for his or her chosen or assigned counsel. The magistrate must, upon the request of the defendant, require a peace officer to take a message to any counsel whom the

defendant may name, in the judicial district in which the court is situated. The officer shall, without delay and without a fee, perform that duty. If the defendant desires and is unable to employ counsel, the court shall assign counsel to defend him or her; in a capital case, if the defendant is able to employ counsel and either refuses to employ counsel or appears without counsel after having had a reasonable time to employ counsel, the court shall assign counsel to defend him or her. If it appears that the defendant may be a minor, the magistrate shall ascertain whether that is the case, and if the magistrate concludes that it is probable that the defendant is a minor, he or she shall immediately either notify the parent or guardian of the minor, by telephone or messenger, of the arrest, or appoint counsel to represent the minor.

SECTION 21. Section 866 of the Penal Code, as amended by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

866. (a) When the examination of witnesses on the part of the people is closed, any witness the defendant may produce shall be sworn and examined.

Upon the request of the prosecuting attorney, the magistrate shall require an offer of proof from the defense as to the testimony expected from the witness. The magistrate shall not permit the testimony of any defense witness unless the offer of proof discloses to the satisfaction of the magistrate, in his or her sound discretion, that the testimony of that witness, if believed, would be reasonably likely to establish an affirmative defense, negate an element of a crime charged, or impeach the testimony of a prosecution witness or the statement of a declarant testified to by a prosecution witness.

(b) It is the purpose of a preliminary examination to establish whether there exists probable cause to believe that the defendant has committed a felony. The examination shall not be used for purposes of discovery.

(c) This section shall not be construed to compel or authorize the taking of depositions of witnesses.

SECTION 22. Section 871.6 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

871.6. If in a felony case the magistrate sets the preliminary examination beyond the time specified in Section 859b, in violation of Section 859b, or continues the preliminary hearing without good cause and good cause is required by law for such a continuance, the people or the defendant may file a petition for writ of mandate or prohibition in the superior court seeking immediate appellate review of the ruling setting the hearing or granting the continuance. Such a petition shall have precedence over all other cases in the court to which the petition is assigned. If the superior court grants a peremptory writ, it shall issue the writ and a remittitur three court days after its decision becomes final as to the court if this action is necessary to prevent mootness or to prevent frustration of the relief granted, notwithstanding the rights of the parties to seek review in a court of appeal. When the superior court issues the writ and remittitur as provided in this section, the writ shall command the magistrate to proceed with the preliminary hearing without further delay, other than that reasonably necessary for the parties to obtain the attendance of their witnesses.

The court of appeal may stay or recall the issuance of the writ and remittitur. The failure of the court of appeal to stay or recall the issuance of the writ and remittitur shall not deprive the parties of any right they would otherwise have to appellate review or extraordinary relief.

SECTION 23. Section 872 of the Penal Code, as amended by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

872. (a) If, however, it appears from the examination that a public offense has been committed, and there is sufficient cause to believe that the defendant is guilty, the magistrate shall make or indorse on the complaint an order, signed by him or her, to the following effect: "It appearing to me that the offense in the within complaint mentioned (or any offense, according to the fact, stating generally the nature thereof), has been committed, and that there is sufficient cause to believe that the within named A.B. is guilty, I order that he or she be held to answer to the same."

(b) Notwithstanding Section 1200 of the Evidence Code, the finding of probable cause may be based in whole or in part upon the sworn testimony of a law enforcement officer relating the statements of declarants made out of court offered for the truth of the matter asserted. Any law enforcement officer testifying as to hearsay statements shall either have five years of law enforcement experience or have completed a training course certified by the Commission on Peace Officer Standards and Training which includes training in the investigation and reporting of cases and testifying at preliminary hearings.

SECTION 24. Section 954.1 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

954.1. In cases in which two or more different offenses of the same class of crimes or offenses have been charged together in the same accusatory pleading, or where two or more accusatory pleadings charging offenses of the same class of crimes or offenses have been consolidated, evidence concerning one offense or offenses need not be admissible as to the other offense or offenses before the jointly charged offenses may be tried together before the same trier of fact.

SECTION 25. Section 987.05 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is amended to read:

987.05. In assigning defense counsel in felony cases, whether it ~~is~~ *be* the public defender or private counsel, the court shall only assign counsel who represents, on the record, that he or she will be ready to proceed with the preliminary hearing or trial, as the case may be, within the time provisions prescribed in this code for preliminary hearings and trials, except in those unusual cases where the court finds that, due to the nature of the case, counsel cannot reasonably be expected to be ready within the prescribed period if he or she were to begin preparing the case forthwith and continue to make diligent and constant efforts to be ready. In the case where the time of preparation for preliminary hearing or trial is deemed greater than the statutory time, the court shall set a reasonable time period for preparation. In making this determination, the court shall not consider counsel's convenience, counsel's calendar conflicts, or counsel's other business. The court may allow counsel a reasonable time to become familiar with the case in order to determine whether he or she can be ready. In cases where counsel, after making representations that he or she will be ready for preliminary examination or trial, and without good cause is not ready on the date set, the court may relieve counsel from the case and may impose sanctions upon counsel, including, but not limited to, finding the assigned counsel in contempt of court, imposing a fine, or denying any public funds as compensation for counsel's services. Both the prosecuting attorney and defense counsel shall have a right to present evidence and argument as to a reasonable length of time for preparation and on any reasons why counsel could not be prepared in the set time.

SECTION 26. Section 1049.5 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

1049.5. In felony cases, the court shall set a date for trial which is within 60 days of the defendant's arraignment in the superior court unless, upon a showing of good cause as prescribed in Section 1050, the court lengthens the time. If the court, after a hearing as prescribed in Section 1050, finds that there is good cause to set the date for trial beyond the 60 days, it shall state on the record the facts proved that justify its finding. A statement of facts proved shall be entered in the minutes.

SECTION 27. Section 1050.1 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

1050.1. In any case in which two or more defendants are jointly charged in the same complaint, indictment, or information, and the court or magistrate, for good cause shown, continues the arraignment, preliminary hearing, or trial of one or more defendants, the continuance shall, upon motion of the prosecuting attorney, constitute good cause to continue the remaining defendants' cases so as to maintain joinder. The court or magistrate shall not cause jointly charged cases to be severed due to the unavailability or unpreparedness of one or more defendants unless it appears to the court or magistrate that it will be impossible for all defendants to be available and prepared within a reasonable period of time.

SECTION 28. Chapter 10 (commencing with Section 1054) of Title 6 of Part 2 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is amended to read·

CHAPTER 10. DISCOVERY

1054 This chapter shall be interpreted to give effect to all of the following purposes:

(a) To promote the ascertainment of truth in trials by requiring timely pretrial discovery.

(b) To save court time by requiring that discovery be conducted informally between and among the parties before judicial enforcement is requested.

(c) To save court time in trial and avoid the necessity for frequent interruptions and postponements.

(d) To protect victims and witnesses from danger, harassment, and undue delay of the proceedings.

(e) To provide that no discovery shall occur in criminal cases except as provided by this chapter, other express statutory provisions, or as mandated by the Constitution of the United States.

1054.1. The prosecuting attorney shall disclose to the defendant or his or her attorney all of the following materials and information, if it is in the possession of the prosecuting attorney or if the prosecuting attorney knows it to be in the possession of the investigating agencies:

(a) The names and addresses of persons the prosecutor intends to call as witnesses at trial.

(b) Statements of all defendants.

(c) All relevant real evidence seized or obtained as a part of the investigation of the offenses charged.

(d) The existence of a felony conviction of any material witness whose credibility is likely to be critical to the outcome of the trial.

(e) Any exculpatory evidence.

(f) Relevant written or recorded statements of witnesses or reports of the statements of witnesses whom the prosecutor intends to call at the trial, including any reports or statements of experts made in conjunction with the case, including

the results of physical or mental examinations, scientific tests, experiments, or comparisons which the prosecutor intends to offer in evidence at the trial.

1054.2. No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause.

1054.3. The defendant and his or her attorney shall disclose to the prosecuting attorney:

(a) The names and addresses of persons, other than the defendant, he or she intends to call as witnesses at trial, together with any relevant written or recorded statements of those persons, or, reports of the statements of those persons, including any reports or statements of experts made in connection with the case, including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial.

(b) Any real evidence which the defendant intends to offer in evidence at the trial.

1054.4 Nothing in this chapter shall be construed as limiting any law enforcement or prosecuting agency from obtaining nontestimonial evidence to the extent permitted by law on the ~~effective~~ *operative* date of this section

1054.5. (a) No order requiring discovery shall be made in criminal cases except as provided in this chapter. This chapter shall be the only means by which the defendant may compel the disclosure or production of information from prosecuting attorneys, law enforcement agencies which investigated or prepared the case against the defendant, or any other persons or agencies which the prosecuting attorney or investigating agency may have employed to assist them in performing their duties.

(b) Before a party may seek court enforcement of any of the disclosures required by this chapter, the party shall make an informal request of opposing counsel for the desired materials and information. If within 15 days, the opposing counsel fails to provide the materials and information requested, the party may seek a court order. Upon a showing that a party has not complied with Section 1054.1 or 1054.3 and upon a showing that the moving party complied with the informal discovery procedure provided in this subdivision, a court may make any order necessary to enforce the provisions of this chapter, including, but not limited to, immediate disclosure, contempt proceedings, delaying or prohibiting the testimony of a witness or the presentation of real evidence, continuance of the matter, or any other lawful order. Further, the court may advise the jury of any failure or refusal to disclose and of any untimely disclosure.

(c) The court may prohibit the testimony of a witness pursuant to subdivision (b) only if all other sanctions have been exhausted. The court shall not dismiss a charge pursuant to subdivision (b) unless required to do so by the Constitution of the United States.

1054 6. Neither the defendant nor the prosecuting attorney is required to disclose any materials or information which are work product as defined in subdivision (c) of Section 2018 of the Code of Civil Procedure, or which are privileged pursuant to an express statutory provision, or are privileged as provided by the Constitution of the United States.

1054.7. The disclosures required under this chapter shall be made at least 30 days prior to the trial, unless good cause is shown why a disclosure should be denied, restricted, or deferred. If the material and information becomes known

to, or comes into the possession of, a party within 30 days of trial, disclosure shall be made immediately, unless good cause is shown why a disclosure should be denied, restricted, or deferred. "Good cause" is limited to threats or possible danger to the safety of a victim or witness, possible loss or destruction of evidence, or possible compromise of other investigations by law enforcement.

Upon the request of any party, the court may permit a showing of good cause for the denial or regulation of disclosures, or any portion of that showing, to be made in camera. A verbatim record shall be made of any such proceeding. If the court enters an order granting relief following a showing in camera, the entire record of the showing shall be sealed and preserved in the records of the court, and shall be made available to an appellate court in the event of an appeal or writ. In its discretion, the trial court may after trial and conviction, unseal any previously sealed matter.

SECTION 29. Section 1102.5 of the Penal Code is repealed.

~~1102.5. (a) Upon motion, the prosecution shall be entitled to obtain from the defendant or his or her counsel, all statements, oral or however preserved, by any defense witness other than the defendant, after that witness has testified on direct examination at trial. At the request of the defendant or his or her counsel, the court shall review the statement in camera and limit discovery to those matters within the scope of the direct testimony of the witness. As used in this section, the statement of a witness includes factual summaries, but does not include the impressions, conclusions, opinions, or legal research or theories of the defendant, his or her counsel, or agent.~~

~~(b) The prosecution shall make available to the defendant, as soon as practicable, all evidence, including the names, addresses and statements of witnesses, which was obtained or prepared as a consequence of obtaining any discovery or information pursuant to this section.~~

~~(c) Nothing in this section shall be construed to deny either to the defendant or to the people information or discovery to which either is now entitled under existing law.~~

SECTION 30. Section 1102.7 of the Penal Code is repealed.

~~1102.7. Notwithstanding any other provision of law, the prosecution shall not be required to furnish to the defendant himself or herself, but only to his or her attorney, the address or telephone number of any victim or witness absent a showing of good cause as determined by the court, unless the defendant is acting as his or her own attorney. When an address or telephone number is released to the defendant's attorney, the court shall order the defendant's attorney not to disclose the information to the defendant.~~

~~If the defendant is acting as his or her own attorney in a case involving force or violence, dangerous or deadly weapons, or witness intimidation and where there is a possibility that the defendant poses a continuing threat to the victim or witness, the court shall protect the address and telephone number of the victim or witness by providing for contact only through a court-appointed licensed private investigator or by imposing other reasonable restrictions. When an address or telephone number is released to a court-appointed licensed private investigator, the court shall order the investigator not to disclose this information to the defendant.~~

SECTION 31. Section 1385.1 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

1385.1. Notwithstanding Section 1385 or any other provision of law, a judge shall not strike or dismiss any special circumstance which is admitted by a plea of guilty or nolo contendere or is found by a jury or court as provided in Sections 190 1 to 190.5, inclusive.

SECTION 32. Section 1430 of the Penal Code is repealed.

~~1430. The prosecuting attorney shall deliver to, or make accessible for inspection and copying by, the defendant or counsel, copies of the police, arrest, and crime reports, upon the first court appearance of counsel, or upon a determination by a magistrate that the defendant can represent himself or herself. If unavailable to the prosecuting attorney at the time of that appearance or determination, the reports shall be delivered within two calendar days. Portions of those reports containing privileged information need not be disclosed if the defendant or his or her counsel has been notified that privileged information has not been disclosed. If the charges against the defendant are dismissed prior to the time the above-mentioned documents are delivered or made accessible, the prosecuting attorney need not deliver or make accessible such documents unless otherwise so compelled by law. The court shall not dismiss a case because of the failure of the prosecuting attorney to immediately deliver copies of the reports or to make them accessible for inspection and copying.~~

SECTION 33. Section 1511 of the Penal Code, as added by Proposition 115 at the June 5, 1990 Primary Election, is reenacted to read:

1511. If in a felony case the superior court sets the trial beyond the period of time specified in Section 1049 5, in violation of Section 1049.5, or continues the hearing of any matter without good cause, and good cause is required by law for such a continuance, either party may file a petition for writ of mandate or prohibition in the court of appeal seeking immediate appellate review of the ruling setting the trial or granting the continuance. Such a petition shall have precedence over all other cases in the court to which the petition is assigned, including, but not limited to, cases that originated in the juvenile court. If the court of appeal grants a peremptory writ, it shall issue the writ and a remittitur three court days after its decision becomes final as to that court if such action is necessary to prevent mootness or to prevent frustration of the relief granted, notwithstanding the right of the parties to file a petition for review in the Supreme Court. When the court of appeal issues the writ and remittitur as provided herein, the writ shall command the superior court to proceed with the criminal case without further delay, other than that reasonably necessary for the parties to obtain the attendance of their witnesses.

The Supreme Court may stay or recall the issuance of the writ and remittitur. The Supreme Court's failure to stay or recall the issuance of the writ and remittitur shall not deprive the respondent or the real party in interest of its right to file a petition for review in the Supreme Court.

TITLE IV

EMERGENCY CORRECTIONAL FACILITIES

SECTION 34. Chapter 17 (commencing with Section 7450) is added to Title 7 of Part 3 of the Penal Code, to read:

Article 1 General Provisions

7450. As used in this chapter, the following terms have the following meanings.

(a) "Committee" means the Emergency Correctional Facility Finance Committee created pursuant to Section 7462.

(b) "Fund" means the Emergency Correctional Facility Bond Fund created pursuant to Section 7455.

(c) The primary purpose of the facilities authorized by this title shall be to house inmates with drug abuse problems in order to provide them with (1) a drug-free environment, and (2) drug treatment programs which shall also be integrated with parole and probation supervision programs.

(d) Cost efficiency of construction and operation and effectiveness of treatment shall be of paramount concern. Facilities authorized by this section shall be constructed within the limits of the appropriation except as authorized by the Joint Prison Construction and Operations Committee of the Legislature. The facilities shall be designed and constructed using an efficient and effective low-cost design.

Article 2. Emergency Correctional Facilities

7455. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Emergency Correctional Facility Bond Fund, which is hereby created.

7456. (a) Money in the fund, up to a limit of three hundred six million dollars ($306,000,000) may be available for the acquisition and construction of state correctional facilities. For that purpose, acquisition includes the purchase of property, the lease of property for a period of not less than 20 years, and any other acquisition of property that grants a right to occupy the property for at least 20 years, and construction includes the remodeling of existing facilities.

(b) Money in the fund, up to a limit of four hundred thirty-four million dollars ($434,000,000) shall be available for the acquisition and construction of local and regional confinement and treatment facilities for the housing of prisoners who might otherwise be housed in county jails.

Article 3. Fiscal Provisions

7460 Bonds in the total amount of seven hundred forty million dollars ($740,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

7461. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

7462. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Emergency Correctional Facility Finance Committee is hereby created For purposes of this chapter, the Emergency Correctional Facility Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Controller, the Treasurer, the

Director of Finance, the Director of Corrections, and the Chairperson of the Board of Corrections, or their designated representatives. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Department of Corrections is designated the "board."

7463. The committee shall determine whether it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 7456 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time

7464 There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

7465 Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 7466, appropriated without regard to fiscal years.

7466. For the purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund from money received from the sale of bonds for the purpose of carrying out this chapter.

7467 All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

7468. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code

7469. The People hereby find and declare that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

SECTION 35. (a) The Department of Corrections is hereby authorized to construct and establish confinement and treatment facilities totalling 8,000 beds, together with necessary service facilities.

(b) The facilities authorized by this section shall be used for the confinement and treatment of inmates committed to the Department of Corrections.

(c) Preference for construction shall be given to a site on federal property in the Mojave Desert.

(d) The department may acquire property for the purposes of this section by purchase, by lease with a term of at least 20 years, or by any similar arrangement that provides the department with the right to occupy the property for at least 20 years. Construction may include the adaptation of existing facilities.

(e) Any contract or subcontract for the construction of facilities authorized by this section shall provide for payment of wages to all workers no less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed, and no less than the general prevailing rate of per diem wages for holiday and overtime work.

SECTION 36. (a) The Department of Corrections is authorized to construct and establish confinement and treatment facilities to house prisoners who might otherwise be housed in county jails. These facilities shall be operated by counties, as authorized by law. Counties may contract with the Department of Corrections to operate all or any portion of these facilities.

(b) Facilities with a total capacity of 6,000 beds shall be located in southern California. For that purpose, "southern California" means the Counties of Santa Barbara, Kern, and San Bernardino, and the more southerly counties.

(c) Other facilities, having a capacity of 4,000 beds, shall be located in northern California in the vicinity of the counties bordering the San Francisco Bay.

(d) Sections 6029 and 6030 of the Penal Code shall not apply to facilities constructed under this section.

(e) Any contract or subcontract for the construction of facilities authorized by this section shall provide for payment of wages to all workers no less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed, and no less than the general prevailing rate of per diem wages for holiday and overtime work.

SECTION 37 The sum of seven hundred forty million dollars ($740,000,000) is hereby appropriated from the Emergency Correctional Facility Bond Fund for use as follows:

(a) The sum of three hundred six million dollars ($306,000,000) is appropriated to the Department of Corrections for the facilities authorized by Section 35.

(b) (1) The sum of two hundred sixty-four million dollars ($264,000,000) is appropriated to the Department of Corrections for the joint use jail facilities in southern California authorized by Section 36.

(2) The sum of one hundred seventy million dollars ($170,000,000) is appropriated to the Department of Corrections for the joint use jail facilities in northern California authorized by Section 36.

(c) Funds appropriated by this section shall be available for purposes, as necessary, of site acquisition, site studies and suitability reports, environmental studies, master planning, architectural programming, schematics, preliminary plans, working drawings, construction, and long-lead and equipment items. For that purpose, site acquisition includes the payment for the right to occupy the property for at least 20 years.

TITLE V.
FUNDING

SECTION 38. Section 17008 5 is added to the Revenue and Taxation Code, to read:

17008.5. (a) The provisions of Section 7704 of the Internal Revenue Code, relating to certain publicly traded partnerships treated as corporations, shall apply to taxable years beginning on or after January 1, 1991, except that Section 10211(c) (2) of Public Law 100-203 shall apply

(b) The amendments to Section 7704 of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to certain publicly traded partnerships treated as corporations, shall apply to taxable years beginning on or after January 1, 1991.

SECTION 39. Section 17062 of the Revenue and Taxation Code is amended to read:

17062. (a) In addition to the other taxes imposed by this part, there is hereby imposed for each taxable year, a tax equal to the excess, if any, of—

(1) The tentative minimum tax for the taxable year, over

(2) The regular tax for the taxable year.

(b) For purposes of this chapter, each of the following shall apply:

(1) The tentative minimum tax shall be computed in accordance with Sections 55 to 59, inclusive, of the Internal Revenue Code, except as otherwise provided in this part.

(2) The regular tax shall be the amount of tax imposed by Section 17041 or 17048, reduced by credits for taxes paid to other states allowed by Chapter 12 (commencing with Section 18001).

(3) (A) The provisions of Section 55(b)(1) of the Internal Revenue Code shall be modified to provide that the tentative minimum tax for the taxable year shall be equal to 7 percent of so much of the alternative minimum taxable income for the taxable year as exceeds the exemption amount, reduced by the alternative credit for taxes paid to other states as allowed by Chapter 12 (commencing with Section 18001).

(B) In the case of a nonresident or part-year resident, the tentative minimum tax shall be computed as if the nonresident or part-year resident were a resident for the entire year multiplied by the ratio of California adjusted gross income (as modified for purposes of this chapter) to total adjusted gross income from all sources (as modified for purposes of this chapter). For purposes of computing the tax under subparagraph (A) and gross income from all sources, the net operating loss deduction provided in Section 56(d) of the Internal Revenue Code shall be computed as if the taxpayer were a resident for all prior years.

(C) For purposes of this section, the term "California adjusted gross income" includes each of the following:

(i) For any period during which the taxpayer was a resident of this state (as defined by Section 17014), all items of adjusted gross income (as modified for purposes of this chapter), regardless of source.

(ii) For any period during which the taxpayer was not a resident of this state, only those items of adjusted gross income (as modified for purposes of this chapter) which were derived from sources within this state, determined in accordance with Chapter 11 (commencing with Section 17951).

(4) (A) If there was a deferral of preference tax under former Section 17064.8 for any taxable year beginning before January 1, 1987, and the amount of the deferred tax has not been paid for any taxable year beginning before January 1, 1987, the amount of the net operating loss carryovers which may be carried to taxable years beginning after December 31, 1986, for purposes of this chapter, shall be reduced by the amount of the tax preferences attributable to the deferred tax which has not been paid.

(B) In the case of a net operating loss allowed to be carried forward under subdivision (d) of Section 17276, subparagraph (A) shall apply to the extent that such a loss would have resulted in a deferred tax under prior law.

(5) The provisions of Section 57(a)(5) of the Internal Revenue Code, relating to tax-exempt interest shall not be applicable.

(6) The provisions of Section 59(a) of the Internal Revenue Code, relating to the alternative minimum tax foreign tax credit, shall not be applicable.

(7) Section 56(b)(1)(E) of the Internal Revenue Code, relating to standard deduction and deduction for personal exemptions not allowed, is modified, for purposes of this part, to deny the standard deduction allowed by Section 17073.5.

~~(c) The amendments to Section 56(a)(6) of the Internal Revenue Code made by Section 10202(d) of Public Law 100-203, relating to minimum tax, shall not apply.~~

SECTION 40. Section 17094 of the Revenue and Taxation Code is repealed.

~~17094. The provisions of Section 81 of the Internal Revenue Code, relating to increases in vacation pay suspense account, shall apply as amended by Public Law 99-514.~~

SECTION 41. Section 17279 of the Revenue and Taxation Code is repealed.

~~17279. The provisions of Section 10204 of Public Law 100-203, relating to amortization of past service pension costs, shall not apply.~~

SECTION 42. Section 17560 of the Revenue and Taxation Code is amended to read.

17560. (a) At the election of the taxpayer, the provisions of Section 453C of the Internal Revenue Code, relating to certain indebtedness treated as payment on installment obligations, shall not be applicable.

(b) (1) If an election is not made under subdivision (a), then for purposes of applying the provisions of Section 453C of the Internal Revenue Code, relating to certain indebtedness treated as a payment on installment obligations, the provisions of Sections 811(c)(2), 811(c)(4), 811(c)(6), and 811(c)(7) of Public Law 99-514, as modified by Section 1008(f) of Public Law 100-647, shall apply.

(2) The provisions of Section 812 of Public Law 99-514, relating to the disallowance of use of installment method for certain obligations as modified by Section 1008(g) of Public Law 100-647, shall apply to taxable years beginning on or after January 1, 1987.

~~(c) The amendments to Sections 453, 453A, and 453C made by Section 10202 of Public Law 100-203, relating to installment sales, shall not apply.~~

~~(d) The amendments to Sections 453, 453A, and 453C made by Public Law 100-647, relating to installment sales, shall not apply.~~

(c) The repeal of Section 453C of the Internal Revenue Code by Section 10202(a) of Public Law 100-203, relating to repeal of the proportionate disallowance of the installment method, shall apply to dispositions in taxable years beginning on or after January 1, 1991.

(d) (1) The amendments to Section 453 of the Internal Revenue Code by Section 2004 of Public Law 100-647, relating to the installment method, shall apply to taxable years beginning on or after January 1, 1991.

(2) In the case of any installment obligation to which Section 453(l)(2)(B) of the Internal Revenue Code applies, in lieu of the provisions of Section 453(l)(3)(A) of the Internal Revenue Code, the tax imposed under Section 17041 or 17048 for any taxable year for which payment is received on that obligation shall be increased by the amount of interest determined in the manner provided under Section 453(l)(3)(B) of the Internal Revenue Code

(3) The provisions of Section 10202(e)(2) and 10204(b)(2)(B) of Public Law 100-203, relating to change in method of accounting, are modified to provide that any adjustments required by Section 481 of the Internal Revenue Code shall be included in gross income as follows:

(A) Fifty percent in the first taxable year beginning on or after January 1, 1991.

(B) Fifty percent in the second taxable year beginning on or after January 1, 1991.

(e) (1) The amendments to Section 453A of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to special rules for nondealers, shall apply to taxable years beginning on or after January 1, 1991.

(2) In the case of any installment obligation to which Section 453A of the Internal Revenue Code applies and which is outstanding as of the close of the taxable year, in lieu of the provisions of Section 453A(c)(1) of the Internal Revenue Code, the tax imposed under Section 17041 or 17048 for the taxable year shall be increased by the amount of interest determined in the manner provided under Section 453A(c)(2) of the Internal Revenue Code.

(3) The provisions of Section 453A(c)(3)(B) of the Internal Revenue Code, relating to the maximum rate used in calculating the deferred tax liability, are modified to refer to the maximum rate of tax imposed under Section 17041 in lieu of the maximum rate of tax imposed under Section 1 or 11 of the Internal Revenue Code.

SECTION 43 Section 17561 of the Revenue and Taxation Code is amended to read:

17561. (a) For purposes of this part, the provisions of Section 469(d)(2) of the Internal Revenue Code, relating to passive activity credits, are modified to refer to the following credits:

(1) The credit for research expenses allowed by Section 17052.12.

(2) The credit for certain wages paid (targeted jobs) allowed by Section 17053.7.

(3) The credit for clinical testing expenses allowed by Section 17057.

(4) The credit for low-income housing allowed by Section 17058.

(b) For purposes of applying the provisions of Section 469(i) of the Internal Revenue Code, relating to the twenty-five thousand dollars ($25,000) offset for rental real estate activities:

(1) The dollar limitation for the credit allowed under Section 17058 (relating to low-income housing) shall be equal to seventy-five thousand dollars ($75,000) in lieu of the amount specified in Section 469(i)(2) of the Internal Revenue Code.

(2) The term "adjusted gross income," as defined in Section 469(i)(3)(D), shall mean the amount required to be shown as adjusted gross income on the federal tax return for the same taxable year determined without regard to—

(A) Any amount includible in gross income on the federal tax return under Section 86 of the Internal Revenue Code.

(B) Any amount allowed as a deduction on the federal tax return under Section 219 of the Internal Revenue Code.

(C) Any passive activity loss.

(c) Section 502 of the Tax Reform Act of 1986 (Public Law 99-514) shall apply.

(d) For taxable years beginning on or after January 1, 1987, the provisions of Section 10212 of Public Law 100-203, relating to treatment of publicly traded partnerships under Section 469 of the Internal Revenue Code, shall be applicable.

(e) The amendments to Section 469(k) of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to separate application of Section 469 in case of publicly traded partnerships, shall apply to taxable years beginning on or after January 1, 1991.

SECTION 44. Section 17563 of the Revenue and Taxation Code is amended to read:

17563. ~~The repeal of Section 463 of the Internal Revenue Code by Section 10201 of Public Law 100-203, relating to accrual of vacation pay, shall not apply.~~ *(a) In the case of any taxpayer who elected to have Section 463 of the Internal Revenue Code of 1986 apply for that taxpayer's last taxable year beginning prior to January 1, 1991, and who is required to change his or her method of accounting by reason of the amendments made by the act adding this provision, each of the following shall apply:*

(1) The change shall be treated as initiated by the taxpayer.

(2) The change shall be treated as having been made with the consent of the Franchise Tax Board.

(3) The net amount of adjustments required by Chapter 6 (commencing with Section 17551) to be taken into account by the taxpayer:

(A) Shall be reduced by the balance in the suspense account, under Section 463(c) of the Internal Revenue Code as of the close of the last taxable year beginning before January 1, 1991, and

(B) Shall be taken into account over the two taxable year period beginning with the taxable year following that last taxable year, as follows:

In the case of the.	*The percentage to be taken into account is:*
1st Year	*50*
2nd Year	*50*

(b) Notwithstanding subparagraph (B) of paragraph (3) of subdivision (a), if the period during which the adjustments are required to be taken into account under Chapter 6 (commencing with Section 17551) is less than two years, those adjustments shall be taken into account ratably over the shorter period.

SECTION 45. Section 17564 of the Revenue and Taxation Code is amended to read:

17564. (a) Long-term contracts shall be accounted for in accordance with the special rules set forth in Section 460 of the Internal Revenue Code.

(b) (1) The provisions of Section 804(d) of Public Law 99-514, relating to the effective date of modifications in the method of accounting for long-term contracts, shall be applicable to taxable years beginning on or after January 1, 1987.

(2) In the case of a contract entered into after February 28, 1986, during a taxable year beginning before January 1, 1987, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for the taxable year in which the contract began.

~~(c) The amendments to Section 460 of the Internal Revenue Code made by Section 10203 of Public Law 100-203, relating to a reduction in the percentage of items taken into account under the completed contract method, shall not apply.~~

~~(d) The amendments to Section 460 of the Internal Revenue Code made by Section 5041 of Public Law 100-647, relating to a reduction in the percentage of items taken into account under the completed contract method, shall not apply.~~

(c) In the case of a contract entered into after October 13, 1987, during a taxable year beginning before January 1, 1991, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for taxable years beginning prior to January 1, 1991.

(d) In the case of a contract entered into after June 20, 1988, during a taxable year beginning before January 1, 1991, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for taxable years beginning prior to January 1, 1991.

(e) For purposes of applying Section 460(a)(2) of the Internal Revenue Code, relating to 90 percent look-back method, any adjustment to income computed under subdivision (b), *(c), or (d)* shall be deemed to have been reported in the taxable year from which the adjustment arose, rather than the taxable year in which the contract was completed.

SECTION 46. Section 23038.5 is added to the Revenue and Taxation Code, to read:

23038.5. (a) The provisions of Section 7704 of the Internal Revenue Code, relating to certain publicly traded partnerships treated as corporations, shall apply to income years beginning on or after January 1, 1991, except that Section 10211(c)(2) of Public Law 100-203 shall apply

(b) The amendments to Section 7704 of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to certain publicly traded partnerships treated as corporations, shall apply to income years beginning on or after January 1, 1991.

SECTION 47. Section 23456 of the Revenue and Taxation Code is amended to read:

23456. For purposes of this part, Section 56 of the Internal Revenue Code is modified as follows:

(a) (1) Section 56(a)(2) of the Internal Revenue Code, relating to mining exploration and development costs, shall apply only to expenses incurred during income years beginning on or after January 1, 1988

(2) Section 56(a)(5) of the Internal Revenue Code, relating to pollution control facilities, shall apply only to amounts allowable as a deduction under Section 24372.3.

~~(3) The amendments to Section 56(a)(6) of the Internal Revenue Code made by Section 10202(d) of Public Law 100-203, relating to minimum tax, shall not apply.~~

(b) Section 56(c)(2) of the Internal Revenue Code, relating to Merchant Marine Capital Construction Funds, shall not be applicable.

(c) (1) For purposes of applying Section 56(d) of the Internal Revenue Code, all references to "December 31, 1986," are modified to read "December 31, 1987," and all references to "January 1, 1987," are modified to read "January 1, 1988."

(2) (A) If there was a deferral of preference tax under former Section 23405 for any income year beginning before January 1, 1988, and the amount of the deferred tax has not been paid for any income year beginning before January 1, 1988, the amount of the net operating loss carryovers which may be carried to

income years beginning after December 31, 1987, for purposes of this chapter, shall be reduced by the amount of the tax preferences attributable to the deferred tax which has not been paid.

(B) In the case of a net operating loss allowed to be carried forward under subdivision (e) of Section 24416, subparagraph (A) shall apply to the extent that such a loss would have resulted in a deferred tax under prior law.

(d) (1) Section 56(f) (2) (B) *of the Internal Revenue Code*, relating to adjustments for certain taxes, is modified to read: The amount determined under subparagraph (A) shall be appropriately adjusted to disregard any tax on or measured by income.

(2) The last sentence of Section 56(f) (2) (B) *of the Internal Revenue Code*, relating to taxes imposed by a foreign country or possession, shall not be applicable.

(3) Section 56(f) (2) (C) (i) of the Internal Revenue Code, relating to consolidated returns, is modified to substitute "combined report" for "consolidated return."

(4) Section 56(f) (2) (C) (ii) of the Internal Revenue Code, relating to treatment of dividends of related corporations, is modified to read: Adjusted net book income shall take into account only those dividends (or portions thereof) which have been included in net income for purposes of determining the regular tax.

(5) Section 56(f) (2) (F) of the Internal Revenue Code, relating to treatment of dividends from 936 corporations, shall not be applicable.

(6) Section 56(f) (2) (G) of the Internal Revenue Code, relating to rules for Alaska native corporations, shall not be applicable.

(7) With respect to corporations which are not subject to the tax imposed under Chapter 2 (commencing with Section 23101), the amount of interest income included in book income shall not exceed the amount of interest income included for purposes of the regular tax

(8) Appropriate adjustments shall be made to limit deductions from book income for interest expense in accordance with Sections 24344 and 24425.

(e) Section 56(g) (4) (A) of the Internal Revenue Code ~~shall be~~ *is* modified to provide that in the case of any property placed in service on or after January 1, 1981, and prior to January 1, 1987, and not described in clause (i), (ii), or (iii) of Section 56(g) (4) (A) of the Internal Revenue Code, the amount allowable as depreciation or amortization with respect to that property shall be the same amount that would have been allowable for the income year had the taxpayer depreciated the property under the straight-line method for each income year of the useful life (determined without regard to Section 24354 2 or 24381) for which the taxpayer has held the property.

(f) (1) Section 56(g) (4) (C) of the Internal Revenue Code, relating to disallowance of items not deductible in computing earnings and profits, shall be modified as follows:

(A) A deduction shall be allowed for amounts allowable as a deduction for purposes of the regular tax under Sections 24402, 24410, 24411, and 25106.

(B) Section 56(g) (4) (C) (ii) of the Internal Revenue Code, relating to special rule for 100 percent dividends, shall not be applicable.

(C) Section 56(g) (4) (C) (iii) of the Internal Revenue Code, relating to special rule for dividends from Section 936 companies, shall not be applicable.

(2) With respect to corporations which are not subject to the tax imposed under Chapter 2 (commencing with Section 23101), the amount of interest

income included in the adjusted current earnings shall not exceed the amount of interest income included for purposes of the regular tax.

(3) Appropriate adjustments shall be made to limit deductions from adjusted current earnings for interest expense in accordance with ~~the provisions of~~ Sections 24344 and 24425.

SECTION 48. Section 23732 of the Revenue and Taxation Code is amended to read:

23732. The provisions of Section 512 of the Internal Revenue Code, relating to unrelated business taxable income, shall apply ~~as amended by Public Law 99-514~~, except as otherwise provided.

(a) Section 512(a)(2) of the Internal Revenue Code, relating to special rules for foreign organizations, shall not be applicable.

(b) Section 512(a)(3) of the Internal Revenue Code, relating to special rules applicable to certain organizations, shall be modified as follows:

(1) The reference to Section 501(c)(7) of the Internal Revenue Code, relating to clubs organized for pleasure, recreation, and other nonprofitable purposes, shall be modified to refer to Section 23701g.

(2) The reference to Section 501(c)(9) of the Internal Revenue Code, relating to voluntary employees' beneficiary associations, shall be modified to refer to Section 23701i.

(3) The reference to Section 501(c)(17) of the Internal Revenue Code, relating to trusts providing for payment of supplemental unemployment compensation benefits, shall be modified to refer to Section 23701n.

(4) The reference to Section 501(c)(20) of the Internal Revenue Code, relating to qualified group legal services plans, shall be modified to refer to Section 23701q

(c) Section 512(b)(10) of the Internal Revenue Code, relating to charitable contributions, shall be modified to provide that such deductions shall not exceed 5 percent of the unrelated business taxable income, rather than 10 percent.

SECTION 49. Section 23735 of the Revenue and Taxation Code is amended to read.

23735. (a) The provisions of Section 514 of the Internal Revenue Code, relating to unrelated debt-financed income, shall ~~be applicable~~ *apply*, except as otherwise provided.

(b) The provisions of Section 10214 of Public Law 100-203, relating to the treatment of certain partnership allocations, shall ~~not~~ apply *to income years beginning on or after January 1, 1991, for property acquired by the partnership after October 13, 1987, and partnership interests acquired after October 13, 1987.*

SECTION 50. Section 23802 of the Revenue and Taxation Code is amended to read:

23802. (a) Section 1363(a) of the Internal Revenue Code, relating to the taxability of an S corporation, shall not be applicable.

(b) Corporations qualifying under this chapter shall continue to be subject to the taxes imposed under Chapter 2 (commencing with Section 23101) and Chapter 3 (commencing with Section 23501), except as follows:

(1) The tax imposed under Section 23151 or 23501 shall be imposed at a rate of 2½ percent rather than the rate specified in those sections.

(2) In the case of an "S corporation" which is also a financial corporation, the rate of tax specified in paragraph (1) shall be increased by the excess of the rate imposed under Section 23183 over the rate imposed under Section 23151 and Section 23184 shall be applicable.

(3) An "S corporation" shall not be subject to the alternative minimum tax (or preference tax) imposed under Section 23400.

(c) An "S corporation" shall be subject to the minimum tax imposed under Section 23153.

(d) (1) For purposes of subdivision (b), an "S corporation" shall be allowed a deduction under Section 24416 (relating to net operating loss deductions), but only with respect to losses incurred during periods in which the corporation had in effect a valid election to be treated as an "S corporation" for purposes of this part.

(2) Section 1371(b) of the Internal Revenue Code, relating to denial of carryovers between "C years" and "S years", shall apply for purposes of the tax imposed under subdivision (b), except as provided in paragraph (1) of this subdivision.

(3) The provisions of this subdivision shall not affect the amount of any item of income or loss computed in accordance with the provisions of Section 1366 of the Internal Revenue Code, relating to pass-thru items to shareholders.

(4) For purposes of subdivision (b) of Section 17276, relating to limitations on loss carryovers, losses passed through to shareholders of an "S corporation," to the extent otherwise allowable without application of that subdivision, shall be fully included in the net operating loss of that shareholder and then that subdivision shall be applied to the entire net operating loss.

(e) For purposes of computing the taxes specified in subdivision (b), an "S corporation" shall be allowed a deduction from income for built-in gains and passive investment income for which a tax has been imposed under this part in accordance with the provisions of Section 1374 of the Internal Revenue Code, relating to tax imposed on certain built-in gains, or Section 1375 of the Internal Revenue Code, relating to tax imposed on passive investment income.

(f) For purposes of computing taxes imposed under this part, as provided in subdivision (b)—

(1) An "S corporation" shall compute its deductions for amortization and depreciation in accordance with the provisions of Part 10 (commencing with Section 17001) of Division 2.

(2) The provisions of Section 465 of the Internal Revenue Code, relating to limitation of deductions to the amount at risk, shall be applied in the same manner as in the case of an individual.

(3) (A) The provisions of Section 469 of the Internal Revenue Code, relating to limitations on passive activity losses and credits, shall be applied in the same manner as in the case of an individual.

(B) For purposes of this paragraph, the "adjusted gross income" of the "S corporation" shall be equal to its "net income," as determined under Section 24341 with the modifications required by this subdivision.

(g) The amendments to Section 1363 of the Internal Revenue Code made by Section ~~10227~~ *2004* of Public Law ~~100-203~~ *100-647*, relating to ~~recapture of LIFO amount in the case of elections by S corporations, shall not apply.~~ *effect of election on corporation, shall apply to income years beginning on or after January 1, 1991.*

(h) The provisions of Section 1363(d) of the Internal Revenue Code, relating to recapture of LIFO benefits, shall be modified for purposes of this part to refer to Section 25901a in lieu of Section 6601 of the Internal Revenue Code

SECTION 51. Section 24274 of the Revenue and Taxation Code is repealed.

~~24274. The provisions of Section 81 of the Internal Revenue Code, relating to increases in vacation pay suspense account, shall apply as amended by Public Law 99-514.~~

SECTION 52. Section 24402 of the Revenue and Taxation Code is amended to read:

24402. ~~Dividends~~ *(a) A portion of the dividends* received during the income year declared from income which has been included in the measure of the taxes imposed under Chapter 2 (commencing with Section 23101), *Chapter 2.5 (commencing with Section 23400),* or *Chapter* 3 (commencing with Section 23501) upon the taxpayer declaring the dividends.

(b) The portion of dividends which may be deducted under this section shall be as follows:

(1) In the case of any dividend described in subdivision (a), received from a "more than 50 percent owned corporation," 100 percent.

(2) In the case of any dividend described in subdivision (a), received from a "20 percent owned corporation," 80 percent.

(3) In the case of any dividend described in subdivision (a), received from a bank or corporation which is less than 20 percent owned, 70 percent.

(c) For purposes of this section:

(1) The term "more than 50 percent owned corporation" means any bank or corporation if more than 50 percent of the stock of that bank or corporation (by vote and value) is owned by the taxpayer. For purposes of the preceding sentence, stock described in Section 1504(a)(4) of the Internal Revenue Code shall not be taken into account

(2) The term "20 percent owned corporation" means any bank or corporation if 20 percent or more of the stock of that bank or corporation (by vote and value) is owned by the taxpayer. For purposes of the preceding sentence, stock described in Section 1504(a)(4) of the Internal Revenue Code shall not be taken into account

SECTION 53. Section 24422.3 of the Revenue and Taxation Code is amended to read:

24422.3 ~~(a)~~ Capitalization and inclusion in inventory costs of certain expenses shall be determined in accordance with Section 263A of the Internal Revenue Code.

~~(b) The provisions of Section 10204 of Public Law 100-203, relating to amortization of past service pension costs, shall not apply.~~

SECTION 54. Section 24457 of the Revenue and Taxation Code is amended to read:

24457. (a) Section 304 of the Internal Revenue Code, relating to redemption through the use of related corporations, shall be applicable, except as otherwise provided.

(b) For purposes of applying the provisions of Section 304(b)(4) of the Internal Revenue Code, the term "affiliated group" means a controlled group within the meaning of Section 24564.

~~(c) The amendments to Section 304 of the Internal Revenue Code made by Section 10223 of Public Law 100-203, relating to redemption through use of related corporations, shall not apply.~~

SECTION 55. Section 24533 of the Revenue and Taxation Code is amended to read:

24533. (a) Section 24532 shall apply only if either—

(1) The distributing corporation, and the controlled corporation (or, if stock of more than one controlled corporation is distributed, each of such corporations) is engaged immediately after the distribution in the active conduct of a trade or business; or

(2) Immediately before the distribution, the distributing corporation had no assets other than stock or securities in the controlled corporations and each of the controlled corporations is engaged immediately after the distribution in the active conduct of a trade or business.

(b) For purposes of subsection (a), a corporation shall be treated as engaged in the active conduct of a trade or business if and only if—

(1) It is engaged in the active conduct of a trade or business, or substantially all of its assets consist of stock and securities of a corporation controlled by it (immediately after the distribution) which is so engaged;

(2) Such trade or business has been actively conducted throughout the five-year period ending on the date of the distribution;

(3) Such trade or business was not acquired within the period described in paragraph (2) in a transaction in which gain or loss was recognized in whole or in part; and

(4) Control of a corporation which (at the time of acquisition of control) was conducting such trade or business—

(A) Was not acquired *by any distributee corporation* directly (or through one or more corporations, *whether through the distributing corporation or otherwise*) ~~by another corporation~~ within the period described in paragraph (2) *and was not acquired by the distributing corporation directly (or through one or more corporations) within that period*, or

(B) Was so acquired by ~~another~~ *any such* corporation within ~~such~~ *that* period, but, *in each case in which* such control was so acquired, *it was so acquired*, only by reason of transactions in which gain or loss was not recognized in whole or in part, or only by reason of such transactions combined with acquisitions before the beginning of ~~such~~ *that* period.

(C) For purposes of this paragraph, all distributee corporations which are members of a controlled group (within the meaning of Section 24564) shall be treated as one distributee corporation.

(c) For income years beginning on or after January 1, 1991, Section 311 of the Internal Revenue Code (as incorporated by Section 24481) shall apply to any distribution:

(1) To which this section (or so much of Sections 24535 to 24539, inclusive, as relates to this section) applies, and

(2) Which is not in pursuance of a plan of reorganization, in the same manner as if the distribution were a distribution to which Chapter 2 (commencing with Section 23101) or Chapter 2.5 (commencing with Section 23400) applies, except that Section 311(b) of the Internal Revenue Code shall not apply to any distribution of stock or securities in the controlled corporation

(d) (1) Except as provided in paragraph (2), the amendments to this section by the act adding this subdivision shall apply to income years beginning on or after January 1, 1991, for distributions or transfers after December 15, 1987

(2) The amendments to this section by the act adding this subdivision shall not apply to any distribution after December 15, 1987, and before January 1, 1993, if:

(A) Eighty percent or more of the stock of the distributing corporation was acquired by the distributee before December 15, 1987, or

(B) Eighty percent or more of the stock of the distributing corporation was acquired by the distributee before January 1, 1991, pursuant to a binding written contract or tender offer in effect on December 15, 1987.

For purposes of the preceding sentence, stock described in Section 1504(a)(4) of the Internal Revenue Code shall not be taken into account.

(3)(A) For purposes of paragraph (2), all corporations which were in existence on the designated date and were members of the same controlled group (as defined in Section 24564) which included the distributees on that date shall be treated as one distributee.

(B) Subparagraph (A) shall not exempt any distribution from the amendments made to this section by the act adding this subdivision if that distribution is with respect to stock not held by the distributee (determined without regard to subparagraph (A)) on the designated date directly or indirectly through a corporation which goes out of existence in the transaction.

(C) For purposes of this paragraph, the term "designated date" means the later of:

(i) December 15, 1987, or

(ii) The date on which the acquisition meeting the requirements of paragraph (2) occurred.

SECTION 56. Section 24601 of the Revenue and Taxation Code is amended to read:

24601. ~~(a)~~ The provisions of Sections 404, 404A, 406, 407, 419, and 419A of the Internal Revenue Code shall apply, except as otherwise provided.

~~(b) the provisions of Section 10201 of Public Law 100-203, relating to accrual of vacation pay, shall not apply.~~

SECTION 57. Section 24652 of the Revenue and Taxation Code is amended to read:

24652. ~~(a)~~ The method of accounting for corporations engaged in farming shall be determined in accordance with Section 447 of the Internal Revenue Code.

~~(b) The provisions of Section 10205 of Public Law 100-203, relating to certain farm corporations required to use the accrual method of accounting, shall not apply.~~

SECTION 58. Section 24667 of the Revenue and Taxation Code is amended to read:

24667. (a) (1) Installment sales shall be treated in accordance with Sections 453, 453A, 453B, and 453C of the Internal Revenue Code, except as otherwise provided.

(2) For purposes of applying the provisions of Section 453C of the Internal Revenue Code, relating to certain indebtedness treated as payment on installment obligations, the provisions of Sections 811(c)(2), 811(c)(4), 811(c)(6), and 811(c)(7) of Public Law 99-514, as modified by Section 1008(f) of Public Law 100-647, shall apply to income years beginning on or after January 1, 1988.

(3) The provisions of Section 812 of Public Law 99-514, relating to the disallowance of use of the installment method for certain obligations, as modified by Section 1008(g) of Public Law 100-647, shall apply to income years beginning on or after January 1, 1988.

(b) For purposes of subdivision (a), any references in the Internal Revenue Code to sections that have not been incorporated into this part by reference shall be deemed to refer to the corresponding section, if any, of this part.

~~(c) The amendments to Sections 453, 453A and 453C made by Section 10202 of Public Law 100-203, relating to installment sales, shall not apply.~~

~~(d) The amendments to Sections 453, 453A and 453C made by Public Law 100-647, relating to installment sales, shall not apply.~~

(c) In the case of any taxpayer who made sales under a revolving credit plan and was on the installment method under former Section 24667 or 24668 for the taxpayer's last income year beginning before January 1, 1988, the provisions of this section shall be treated as a change in method of accounting for its first income year beginning after December 31, 1987, and all of the following shall apply:

(1) That change shall be treated as initiated by the taxpayer.

(2) That change shall be treated as having been made with the consent of the Franchise Tax Board.

(3) The period for taking into account adjustments under Article 6 (commencing with Section 24721) by reason of that change shall not exceed four years.

(d) The repeal of Section 453C of the Internal Revenue Code by Section 10202(a) of Public Law 100-203, relating to repeal of the proportionate disallowance of the installment method, shall apply to dispositions on or after January 1, 1991

(e) (1) The amendments to Section 453 of the Internal Revenue Code by Section 2004 of Public Law 100-647, relating to the installment method, shall apply to income years beginning on or after January 1, 1991.

(2) In the case of any installment obligation to which Section 453(l)(2)(B) of the Internal Revenue Code applies, in lieu of the provisions of Section 453(l)(3)(A) of the Internal Revenue Code, the "tax" (as defined by subdivision (a) of Section 23036) for any income year for which payment is received on that obligation shall be increased by the amount of interest determined in the manner provided under Section 453(l)(3)(B) of the Internal Revenue Code.

(3) The provisions of Section 10202(e)(2) and 10204(b)(2)(B) of Public Law 100-203, relating to change in method of accounting, are modified to provide that any adjustments required by Section 481 of the Internal Revenue Code shall be included in gross income as follows:

(A) Fifty percent in the first income year beginning on or after January 1, 1991.

(B) Fifty percent in the second income year beginning on or after January 1, 1991.

(f) (1) The amendments to Section 453A of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to special rules for nondealers, shall apply to income years beginning on or after January 1, 1991

(2) In the case of any installment obligation to which Section 453A of the Internal Revenue Code applies and which is outstanding as of the close of the income year, in lieu of the provisions of Section 453A(c)(1) of the Internal Revenue Code, the "tax" (as defined by subdivision (a) of Section 23036) for the income year shall be increased by the amount of interest determined in the manner provided under Section 453A(c)(2) of the Internal Revenue Code.

(3) The provisions of Section 453A(c)(3)(B) of the Internal Revenue Code, relating to the maximum rate used in calculating the deferred tax liability, are modified to refer to the maximum rate of tax imposed under Section 23151, 23186, or 23802, whichever applies, in lieu of the maximum rate of tax imposed under Section 11 of the Internal Revenue Code.

SECTION 59. Section 24673.2 of the Revenue and Taxation Code is amended to read:

24673.2. (a) Long-term contracts shall be accounted for in accordance with the special rules set forth in Section 460 of the Internal Revenue Code.

(b) (1) The provisions of Section 804(d) of Public Law 99-514, relating to the effective date of modifications in the method of accounting for long-term contracts, shall be applicable to income years beginning on or after January 1, 1987.

(2) In the case of a contract entered into after February 28, 1986, during an income year beginning before January 1, 1987, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for the income year in which the contract began.

~~(c) The amendments to Section 460 of the Internal Revenue Code made by Section 10203 of Public Law 100-203, relating to a reduction in the percentage of items taken into account under the completed contract method, shall not apply.~~

~~(d) The amendments to Section 460 of the Internal Revenue Code made by Section 5041 of Public Law 100-647, relating to a reduction in the percentage of items taken into account under the completed contract method, shall not apply.~~

(c) In the case of a contract entered into after October 13, 1987, during an income year beginning before January 1, 1991, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for taxable years beginning prior to January 1, 1991.

(d) In the case of a contract entered into after June 20, 1988, during an income year beginning before January 1, 1991, an adjustment to income shall be made upon completion of the contract, if necessary, to correct any underreporting or overreporting of income, for purposes of this part, resulting from differences between state and federal law for taxable years beginning prior to January 1, 1991.

(e) For purposes of applying Section 460(a)(2) of the Internal Revenue Code, relating to 90 percent look-back method, any adjustment to income computed under subdivision (b), *(c), or (d)* shall be deemed to have been reported in the income year from which the adjustment arose, rather than the income year in which the contract was completed.

SECTION 60. Section 24681 of the Revenue and Taxation Code is amended to read:

24681. ~~(a)~~ The provisions of Section 461 of the Internal Revenue Code, relating to the general rule for taxable year of deduction, shall be applicable, except as otherwise provided.

~~(b) The amendments to Section 461 of the Internal Revenue Code made by Section 10201 of Public Law 100-203, relating to accrual of vacation pay, shall not apply.~~

SECTION 61. Section 24685 of the Revenue and Taxation Code is repealed

~~24685. (a) At the election of a taxpayer whose net income is computed under an accrual method of accounting, if the conditions of Section 24343 are otherwise satisfied, the deduction allowable under Section 24343 with respect to vacation pay shall be an amount equal to the sum of -/~~

~~(1) A reasonable addition to an account representing the taxpayer's liability for vacation pay earned by employees before the close of the income year and paid during the income year or within eight and one-half months following the close of the income year, plus~~

~~(2) The amount (if any) of the reduction at the close of the income year in the suspense account provided in paragraph (2) of subdivision (c).~~

~~Such liability for vacation pay earned before the close of the income year shall include amounts which, because of contingencies, would not (but for this section) be deductible under Section 24343 as an accrued expense. All payments with respect to vacation pay shall be charged to such account.~~

~~(b) The opening balance of the account described in paragraph (1) of subdivision (a) for its first income year shall, under regulations prescribed by the Franchise Tax Board, be -/~~

~~(1) In the case of a taxpayer who maintained a predecessor account for vacation pay under Section 97 of the Technical Amendments Act of 1958 (Public Law 85-866), as amended, for his last income year ending before January 1, 1976, and who makes an election under this section for his first income year ending after December 31, 1975, the larger of -/~~

~~(A) The balance in such predecessor account at the close of such last income year, or~~

~~(B) The amount determined as if the taxpayer had maintained an account described in paragraph (1) of subdivision (a) for such last income year,~~

~~or~~

~~(2) In the case of any taxpayer not described in paragraph (1), an amount equal to the largest closing balance the taxpayer would have had for any of the taxpayer's three income years immediately preceding such first income year if the taxpayer had maintained such account throughout such three immediately preceding income years.~~

~~(c) (1) the amount of the suspense account at the beginning of the first income year for which the taxpayer maintains under this section an account (described in paragraph (1) of subdivision (a)) shall be the amount of the opening balance described in subdivision (b) minus the amount, if any, allowed as deductions for prior income years for vacation pay accrued but not paid at the close of the income year preceding such first income year.~~

~~(2) At the close of each income year the suspense account shall be -/~~

~~(A) Reduced by the excess, if any, of the amount in the suspense account at the beginning of the income year over the amount in the account described in paragraph (1) of subdivision (a) at the close of the income year (after making the additions and charges for such income year provided in subdivision (a)), or~~

~~(B) Increased (but not to an amount greater than the initial balance of the suspense account) by the excess, if any of the amount in the account described in paragraph (1) of subdivision (a) at the close of the income year (after making the additions and charges for such income year provided in subdivision (a)) over the amount in the suspense account at the beginning of the income year.~~

~~(d) An election under this section shall be made at such time and in such manner as the Franchise Tax Board may by regulations prescribe.~~

~~(e) (1) The establishment of an account described in paragraph (1) of subdivision (a) shall not be considered a change in method of accounting for purposes of subdivision (e) of Section 24651 (relating to requirement respecting change of accounting method), and no adjustment shall be required under Section 24721 by reason of the establishment of such account.~~

~~(2) If the taxpayer treated vacation pay under Section 97 of the Technical Amendments Act of 1958 (P.L. 85-866), as amended, for his last income year ending before January 1, 1975, and if such taxpayer fails to make an election under this section for his first income year ending after December 31, 1975, then, for purposes of Section 24721, such taxpayer shall be treated as having initiated a change in method of accounting with respect to vacation pay for its first income year ending after December 31, 1975.~~

SECTION 62. Section 24685 is added to the Revenue and Taxation Code, to read:

24685 (a) In the case of any taxpayer who elected to have former Section 24685 apply to its last income year beginning prior to January 1, 1991, and who is required to change its method of accounting by reason of the amendments made by the act adding this section, each of the following shall apply:

(1) The change shall be treated as initiated by the taxpayer,

(2) The change shall be treated as having been made with the consent of the Franchise Tax Board, and

(3) The net amount of adjustments required by Article 6 (commencing with Section 24721) to be taken into account by the taxpayer:

(A) Shall be reduced by the balance in the suspense account under subdivision (c) of former Section 24685 as of the close of the last income year beginning before January 1, 1991, and

(B) Shall be taken into account over the two income year period beginning with the income year following that last income year, as follows:

In the case of the	*The percentage to be taken into account is:*
1st Year	*50*
2nd Year	*50*

(b) Notwithstanding subparagraph (B) of paragraph (3) of subdivision (a), if the period during which the adjustments are required to be taken into account under Article 6 (commencing with Section 24271) is less than two years, those adjustments shall be taken into account ratably over the shorter period.

SECTION 63. Section 24692 of the Revenue and Taxation Code is amended to read:

24692. (a) The treatment of passive activity losses and credits shall be determined in accordance with Section 469 of the Internal Revenue Code, except as otherwise provided.

(b) For purposes of this part, the provisions of Section 469(d)(2) of the Internal Revenue Code, relating to passive activity credits, are modified to refer to the following credits:

(1) The credit for research expenses allowed by Section 23609.

(2) The credit for clinical testing expenses allowed by Section 23609.5.

(3) The credit for low-income housing allowed by Section 23610.5.

(4) The credit for certain wages paid (targeted jobs) allowed by Section ~~24330~~ *23621*.

(c) For purposes of applying the provisions of Section 469(i) of the Internal Revenue Code, relating to the twenty-five thousand dollars ($25,000) offset for rental real estate activities, the dollar limitation for the credit allowed under Section 23610.5 (relating to low-income housing) shall be equal to seventy-five thousand dollars ($75,000) in lieu of the amount specified in Section 469(i)(2) of the Internal Revenue Code.

(d) Section 502 of the Tax Reform Act of 1986 (Public Law 99-514) shall apply.

(e) For income years beginning on or after January 1, 1987, the provisions of Section 10212 of Public Law 100-203, relating to treatment of publicly traded partnerships under Section 469 of the Internal Revenue Code, shall be applicable.

(f) The amendments to Section 469(k) of the Internal Revenue Code made by Section 2004 of Public Law 100-647, relating to separate application of section in case of publicly traded partnerships, shall apply to income years beginning on or after January 1, 1991.

SECTION 64. Section 24990.5 of the Revenue and Taxation Code is amended to read:

24990.5. (a) Section 1201 of the Internal Revenue Code, relating to alternative tax for corporations, shall not be applicable.

~~(b) The provisions of Section 1211 of the Internal Revenue Code, relating to limitation on capital losses, shall not be applicable.~~

~~(c) The provisions of Section 1212 of the Internal Revenue Code, relating to capital loss carrybacks and carryovers, shall not be applicable.~~

(b) The provisions of Section 1212 of the Internal Revenue Code, relating to capital loss carrybacks and carryovers, shall be modified as follows:

(1) Section 1212(a)(1)(A) of the Internal Revenue Code, relating to capital loss carrybacks, shall not apply.

(2) Section 1212(a)(3) of the Internal Revenue Code, relating to special rules on carrybacks, shall not apply.

(3) Sections 1212(b) and 1212(c) of the Internal Revenue Code, relating to taxpayers other than a corporation, shall not apply.

SECTION 65. Unless otherwise specifically provided, this act shall be applied in the computation of taxes for taxable or income years beginning on or after January 1, 1991.

TITLE VI.
GENERAL PROVISIONS

SECTION 66. If any provision of this measure or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the measure which can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

SECTION 67. The statutory provisions contained in this measure may not be amended by the Legislature except as follows:

(a) Sections 4 and 38 through 65 may be amended by statute passed in each house, a majority of the membership concurring, or by a statute that becomes effective only when approved by the electors.

(b) All other statutory provisions contained in this measure may be amended by statute passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by the electors.

Number on ballot

131. Limits on Terms of Office. Ethics. Campaign Financing.

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED LAW

TITLE I.

FINDINGS AND PURPOSE

SECTION 1. This measure shall be known as "The Clean Government Initiative".

SECTION 2. Findings and Purposes.

The people of the State of California find and declare:

(a) California governmental institutions are undergoing a crisis in confidence. Comprehensive reform is necessary to restore public confidence in the integrity of elected officials, to ensure that governmental decisionmakers are beholden to the public interest, rather than the special interests, to strengthen the enforcement of existing laws prohibiting government officials from conducting public business in private and engaging in activities or having interests which conflict with the proper discharge of their duties and responsibilities, and to re-invigorate the electoral and political processes;

(b) Electoral competition has declined so dramatically that state officials, once elected, hold virtually a life-time lock on state office, with the result that citizen interest and participation in the political process have dropped to record low levels. Limitations on consecutive service in the same elective office must be imposed in order to infuse competition into the electoral process and new ideas into governmental decisionmaking;

(c) Campaign spending for elective offices has escalated to dangerous levels, forcing many candidates and officeholders to raise enormous amounts of money from interest groups with a specific financial stake in matters before government officials and creating the public perception that elected officers' votes and decisions are improperly influenced by large monetary contributions;

(d) Candidates and officeholders must be provided with a neutral source of campaign financing, one that is tied to their ability to attract support from electoral constituents, so that they need not be entirely dependent upon wealthy, special-interest contributors to raise enough money to communicate their views to the public;

(e) Because the acceptance of gifts and honoraria by public officials raises legitimate concerns over undue influence of wealthy private interests and the potential misuse of office for personal financial gain, the receipt of gifts and honoraria should be restricted and limited to those situations in which the likelihood of any conflict of interest arising is extremely remote;

(f) The assets and income of all elected state officials should be adequately disclosed and in appropriate circumstances the officials should be disqualified from acting so as to avoid potential conflicts of interest between their private financial interest and the broader public interest;

(g) Former state government officials should be restricted from returning to lobby their former agencies or those with whom they exerted significant influence so that the credibility and independence of the government's decision-making process are protected from undue influence;

(h) State officials stand in a fiduciary relationship with the public and must confine their use of public funds to those public purposes authorized by law; and

(i) Existing enforcement mechanisms must be strengthened to provide better coordination of investigations and prosecutions of allegations of public corruption, and the public must be assured that prosecutorial decisions are not influenced by political or other improper considerations.

(j) The people's right to enact legislation through the initiative process provides the ultimate check on the accountability of public officials. Accordingly, the people's right to initiate legislation governing the ethical conduct of their elected representatives must be preserved and jealously safeguarded.

TITLE II.

LIMITATION ON TERMS OF STATE ELECTIVE OFFICERS

SECTION 3. Article V, Section 2 of the State Constitution is amended to read:

SEC. 2. *(a)* The Governor shall be elected every fourth year at the same time and places as members of the Assembly and hold office from the Monday after January 1 following the election until a successor qualifies. The Governor shall be an elector who has been a citizen of the United States and a resident of this State for 5 years immediately preceding the Governor's election. The Governor may not hold other public office.

(b) No person who has been elected to the office of Governor for two successive terms, both of which commence after November 7, 1990, shall again be eligible to hold that office until one full term has intervened.

SECTION 4. Article V, Section 11 of the State Constitution is amended to read:

SEC. 11. *(a)* The Lieutenant Governor, Attorney General, Controller, Secretary of State, and Treasurer shall be elected at the same time and places and for the same term as the Governor.

(b) No person who has been elected to the office of Lieutenant Governor, Attorney General, Controller, Secretary of State, or Treasurer for two successive terms, both of which commence after November 7, 1990, shall again be eligible to hold that same office until one full term has intervened

SECTION 5. Article IX, Section 2 of the State Constitution is amended to read:

SEC. 2. *(a)* A Superintendent of Public Instruction shall be elected by the qualified electors of the State at each gubernatorial election. The Superintendent of Public Instruction shall enter upon the duties of the office on the first Monday after the first day of January next succeeding each gubernatorial election

(b) No person who has been elected to the office of Superintendent of Public Instruction for two successive full terms, both of which commence after November 7, 1990, shall again be eligible to hold that office until one full term has intervened.

SECTION 6. Article XIII, Section 17 of the State Constitution is amended to read:

SEC. 17. *(a)* The Board of Equalization consists of 5 voting members: the Controller and 4 members elected for 4-year terms at gubernatorial elections. The state shall be divided into four Board of Equalization districts with the voters of each district electing one member.

(b) No person who has been elected to the office of member of the Board of Equalization for three successive terms, each of which commence after November 7, 1990, shall again be eligible to hold that office until one full term has intervened

SECTION 7. Article IV, Section 2 of the State Constitution is amended to read:

SEC. 2. *(a)* The Senate has a membership of 40 Senators elected for 4-year terms, 20 to begin every 2 *two* years. The Assembly has a membership of 80 members elected for 2-year terms. Their terms shall commence on the first Monday in December next following their election.

(b) Election of members of the Assembly shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as members of the Assembly.

(c) A person is ineligible to be a member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election.

(d) No person who has been elected to the office of member of the Assembly for six successive full terms, all of which commence after November 7, 1990, shall again be eligible to hold that office until one full term has intervened. No person who has been elected to the office of member of the Senate for three successive full terms, all of which commence after November 7, 1990, shall again be eligible to hold that office until one full term has intervened.

~~(d)~~ *(e)* When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

SECTION 8. Section 12900 of the Insurance Code is amended to read:

12900 (a) The ~~commissioner~~ *Commissioner* shall be elected by the People in the same time, place and manner and for the same term as the Governor.

(b) No person who has been elected to the office of Insurance Commissioner for two successive full terms of office shall again be eligible to hold that office until one full term has intervened.

TITLE III.

GIFTS AND HONORARIA

SECTION 9. Section 8 of Article II of the State Constitution is amended to read:

SEC. 8. (a) The initiative is the power of the electors to propose statutes and amendments to the Constitution and to adopt or reject them.

(b) An initiative measure may be proposed by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by electors equal in number to 5 percent in the case of a statute, and 8 percent in the case of an amendment to the Constitution, of the votes for all candidates for Governor at the last gubernatorial election.

(c) The Secretary of State shall then submit the measure at the next general election held at least 131 days after it qualifies or at any special statewide election held prior to that general election. The Governor may call a special statewide election for the measure.

(d) An initiative measure embracing more than one subject may not be submitted to the electors or have any effect.

(e) Notwithstanding any other provision of this constitution, in addition to the legislative power vested in the California Legislature, the people reserve to themselves the power to propose and adopt initiative statutes strictly limiting public officials from accepting gifts and honoraria or otherwise engaging in activities or having interests which might conflict with the proper discharge of

their official duties and responsibilities. This provision is declaratory of existing law and shall not be interpreted to limit in any manner the scope of the reserved power of the initiative.

SECTION 10. Section 87104 is added to the Government Code, to read:

87104. Honoraria

(a) No elected officer shall accept an honorarium. The term "honorarium" means a payment for any speech, article, published work, public address, oral presentation, appearance, participation or attendance at any panel, conference, or meeting, or other similar activity.

(b) For the purposes of this section, the term "honorarium" does not include:

(1) a payment received for lecturing or teaching at a bona fide public or private institution which is organized and operated exclusively for educational purposes.

(2) a copyright royalty or other payment received in the normal course of business from a publishing house for the publication of a book or an article written by the elected officer.

(c) This section shall not prohibit an elected officer from accepting.

(1) travel expenses or reimbursement for travel expenses within the state of California, including related lodging and reasonable subsistence expenses, if the expenses are directly related to the elected officer's speech, appearance, or participation at any panel, meeting or conference, provided that (a) the lodging expenses are limited to the day preceding and the day(s) of the event which occasioned the travel and (b) the subsistence expenses are limited to the day before the event and that portion of the day immediately following the event that precedes the elected officer's departure.

(2) travel expenses or reimbursement for travel expenses outside the state of California, including related lodging and reasonable subsistence expenses, if the expenses are directly related to the elected officer's speech, appearance, or participation at any panel, meeting or conference, provided that (a) the lodging expenses are limited to the day preceding and the day(s) of the event which occasioned the travel, (b) the subsistence expenses are limited to the day before the event and that portion of the day immediately following the event that precedes the elected officer's departure, (c) the travel serves a governmental or educational purpose, and (d) the expenses are paid only by a governmental agency or a bona fide educational or bona fide charitable institution.

(d) The elected officer accepting travel expenses or reimbursement for travel expenses has the burden of proving that such payments satisfy the requirements of subsection (c). Any travel expenses received or reimbursed under subsection (c), excepting the officer's pro rata share of meals or beverages served in conjunction with the event, shall be disclosed on the elected officer's statement of economic interests in accordance with Article 2 (commencing with Section 87200) of Chapter 7.

(e) Any additional travel expenses to, and any lodging or subsistence expenses in, a separate location removed from the location of the travel authorized under subsection (c) which are incurred prior to returning to the point of origin and which are paid or reimbursed by a third party shall be considered a gift subject to the restrictions of Section 87105.

(f) Notwithstanding subdivisions (b) and (c), no elected officer shall accept any payment from a lobbyist or lobbying firm for lecturing, teaching, or travel expenses.

SECTION 11. Section 87105 is added to the Government Code, to read

87105. Gifts

(a) No elected officer shall accept a gift or gifts aggregating one hundred dollars ($100) or more in value in a calendar year from any single source.

(b) For purposes of this section, "gift" means, except as provided in subdivision (d), any payment to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status. Any person, other than a defendant in a criminal action, who claims that a payment is not a gift by reason of receipt of consideration has the burden of proving that the consideration received is of equal or greater value

(c) For purposes of this section, any gift to the spouse or immediate family of an elected officer, including any travel expenses, food or beverage provided to the family member, shall be deemed a gift to the officer unless it is clear from the surrounding circumstances that the gift to the family member was made for reasons independent of the family member's relationship to the elected officer.

(d) For purposes of this section, the term "gift" does not include any of the following:

(1) Informational material such as books, reports, pamphlets, calendars, or periodicals. No payment for travel or reimbursement for any expenses shall be deemed "informational material."

(2) Gifts which are not used and which, within 30 days after receipt, are returned to the donor or delivered to a charitable organization without being claimed as a charitable contribution for tax purposes.

(3) Gifts from an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, partner in a bona fide dating relationship, nephew, niece, aunt, uncle, or first cousin or the spouse of any such person, provided that a gift from any such person shall be considered a gift if the donor is acting as an agent or intermediary for any person not covered by this paragraph.

(4) Campaign contributions required to be reported under Chapter 4 (commencing with Section 84100) of this title.

(5) Any devise or inheritance.

(6) Personalized plaques and trophies with an individual value of less than two hundred fifty dollars ($250).

(7) Gifts of hospitality involving food, beverages or occasional lodging provided by an individual in his or her home to an elected officer.

(8) Gifts exchanged between an elected officer and another individual, other than a lobbyist, on holidays, birthdays, weddings, or similar occasions, provided that the gifts received by the elected officer are substantially equal in value to the gifts the elected officer gives.

(9) Gifts of transportation, lodging, and reasonable subsistence expenses to the extent permitted by subdivisions (c) and (f) of Section 87104.

(e) Any donation to a legal defense fund established pursuant to Section 87106 and required to be reported in accordance with Chapter 4 (commencing with Section 84100) of this title shall be exempt from the limitation set forth in subsection (a).

(f) Nothing in subsection (d) shall be construed to eliminate or otherwise alter any disclosure requirement imposed by Article 2 (commencing with Section 87200) of this chapter with respect to any item enumerated in that subsection.

(g) The one hundred dollar ($100) limitation specified in subsection (a) shall be adjusted by the Commission on January 1st of every odd-numbered year to reflect changes in the California Consumer Price Index - All Urban Consumers (CPI-U) since January 1, 1991, provided that any such adjustments shall be rounded off to the nearest ten dollars ($10).

SECTION 12. Section 87106 is added to the Government Code, to read:

87106. Legal Defense Funds

(a) Notwithstanding Section 85301, a candidate or elected officer may establish a separate legal defense fund and account to be used solely to defray attorney's fees and other legal costs incurred in the candidate's or officer's legal defense to any civil, criminal, or administrative action or actions arising directly out of the conduct of the campaign or election process, or the performance of the officer's governmental activities and duties.

(b) Any candidate or elected officer wishing to establish a legal defense fund account pursuant to this section shall file a statement of organization for the legal defense fund pursuant to Section 84101. The legal defense fund shall be named "The [Name of Candidate or Officeholder] Legal Defense Fund." The statement of organization shall identify the specific civil, criminal, or administrative proceeding or proceedings for which the legal defense fund is established and shall conform to the requirements of Sections 84102-84104.

(c) The legal defense fund shall establish a single account at an office of a financial institution located in the state of California, and all donations to the candidate or elected officer for his or her legal defense shall be deposited into that account

(d) Only donations that are specifically designated by the donor as being for the legal defense fund may be deposited into the legal defense fund account. All such donations must be made payable to the legal defense fund, and no donation that is not specifically made payable to the legal defense fund may be deposited into the legal defense fund account, provided that nonmonetary donations may be received and used for purposes directly related to the legal defense for which the fund is established if the donor specifically designates in writing that the donation has been made for such purposes.

(e) Notwithstanding any other provision of law, any donation to a legal defense fund and account established pursuant to this section shall, for the purposes of this article (commencing with Section 87100), be deemed a gift to the candidate or officer for whose benefit the legal defense fund has been established, and any contributor to the legal defense fund shall be considered a donor of a gift to the candidate or officer for the purposes of Section 87103 A donation to a legal defense fund by any sponsored committee, as specified in Section 82048.7, shall be deemed a gift from both the committee and the sponsor or sponsors of the committee. For the purposes of applying the disqualification provisions of this article to donations to legal defense funds, an identifiable industry, trade, or profession does not constitute a significant segment of the public A donation to a legal defense fund by a committee whose primary purpose is to promote the economic interests of a single industry, trade, or profession shall be deemed to create in the candidate or officer for whose benefit the fund has been established a financial interest in any decision that will reasonably foreseeably have a material financial effect on a significant number of the members of that industry, trade, or profession.

(f) No person, political committee, small-contributor political action committee, or political party committee shall make, and no legal defense fund committee

shall solicit or accept from each such person, political committee, small-contributor political action committee, or political party committee, a donation or donations totaling more than two thousand five hundred dollars ($2,500) per two-year election cycle.

(g) Expenditures from the legal defense fund account shall be made only for legal defense costs directly related to the civil, criminal, or administrative proceeding or proceedings for which the legal defense fund is established. However, in no event shall any expenditures from the legal defense fund account be used to pay or reimburse any fines, penalties, judgments, or settlements in connection with any criminal prosecution or any civil or administrative action in which the candidate or elected officer is found to have committed, or admits to, an intentional or grossly negligent violation of the law.

(h) No funds may be transferred from the legal defense fund to any other committee. Surplus funds remaining in the legal defense fund account after the proceeding or proceedings for which the account is established have concluded may be used for no other purpose and shall be returned to donors on a pro rata basis within six months after the final conclusion of the proceeding or proceedings.

(i) The legal defense fund shall file disclosure statements containing the same information and at the same time that the candidate or officer files his or her campaign disclosure statements pursuant to Chapter 4 of this title (commencing with Section 84100). Any payments made by the candidate or officer from his or her personal funds for legal defense purposes shall be reported in the legal defense fund disclosure statements as nonmonetary donations.

(j) Except as specifically provided elsewhere in this section, a donation to a legal defense fund and account established pursuant to this section shall not be considered a campaign contribution and shall not be subject to the campaign contribution limitations contained in Chapter 5 (commencing with Section 85100) of this title. This section shall constitute the sole means for soliciting or accepting donations for legal defense costs free of the campaign contribution limitations contained in Chapter 5, and any other provision of law exempting such donations from the campaign contribution limitations in that chapter is hereby superseded and nullified.

SECTION 13. Section 87203 of the Government Code is amended to read:

87203. *(a)* Every person who holds an office specified in Section 87200 shall, each year at a time specified by commission regulations, file a statement disclosing his *or her* investments, his *or her* interests in real property and his *or her* income during the period since the previous statement filed under this section or Section 87202. The statement shall include any investments and interest in real property held at any time during the period covered by the statement, whether or not they are still held at the time of filing.

(b) Every elected state officer shall file, by a date six months after the time specified in subdivision (a), an additional statement disclosing his or her investments, his or her interests in real property, and his or her income since the previous statement filed under subdivision (a).

TITLE IV.

CONFLICT OF INTEREST

SECTION 14. Section 87102 of the Government Code is amended to read:

87102. *(a)* The requirements of Section 87100 are in addition to the requirements of Articles 2 and 3 of this chapter and any Conflict of Interest Code adopted thereunder. ~~However~~ *Except as provided in subdivision (b)*, the remedies

provided in Chapters 3 (commencing with Section 83100) and 11 (commencing with Section 91000) shall not be applicable to ~~elected state officers~~ *Members of the Legislature* for violations or threatened violations of this article.

(b) The remedies provided in Chapter 3 (commencing with Section 83100) and Chapter 11 (commencing with Section 91000) shall apply to any Member of the Legislature who makes, participates in making, or in any way attempts to use his or her official position to influence any of the following governmental decisions in which the Member knows or has reason to know that he or she has a financial interest, as specified in Section 87103:

(1) Any nonlegislative state governmental decision.

(2) Introduction as author or co-author of a bill, resolution, or constitutional amendment.

(3) Any vote in a legislative committee or subcommittee, except that in a fiscal committee or subcommittee this subdivision shall apply only to a vote on any special or local legislation.

(4) Any rollcall vote on any special or local legislation on the Senate or Assembly floor.

This subdivision shall not apply to votes on a consent calendar item, on a motion for reconsideration, on a waiver of any legislative rule, or any other purely procedural matter.

(c) For purposes of subdivision (b), all of the following apply:

(1) "Nonlegislative state governmental decision" means a state governmental decision which does not relate to a bill, resolution, or constitutional amendment.

(2) "Special or local legislation" means legislation that is not of a general nature for purposes of Section 16 of Article IV of the California Constitution. Special or local legislation shall be deemed to have an effect which is distinguishable from the effect on the public generally

(3) A Member of the Legislature is presumed to have reason to know that he or she has conflict of interest with respect to a bill, resolution, or constitutional amendment before a legislative committee or subcommittee if the facts establishing the conflict of interest (other than the facts as to the legislator's income, investments, or interests in real property) are disclosed in any analysis that is prepared by legislative staff and is made available to the Member prior to his or her vote. For purposes of this paragraph, the legislative committee or subcommittee shall make a reasonable effort to determine and highlight in its analysis of a bill, resolution, or constitutional amendment, the instances in which there is a conflict of interest.

(4) A Member of the Legislature is presumed to have reason to know that he or she has a conflict of interest with respect to a vote on the Assembly or Senate floor if the facts establishing the conflict of interest (other than the facts as to the legislator's income, investments, or interests in real property) are disclosed in any floor analysis that is prepared by legislative staff and is made available to the Member prior to his or her vote. For purposes of this paragraph, the legislative staff shall make a reasonable effort to determine and highlight in its analysis of a bill, resolution, or constitutional amendment, the instances in which there is a conflict of interest.

(5) The length of the legislative agenda at the time any legislation was being considered shall be taken into account in determining whether a Member of the Legislature knew or should have known that he or she had a conflict of interest.

(d) The Legislative Counsel shall designate in the digest of each bill, resolution, or constitutional amendment whether it is "special or local" legisla-

tion for purposes of this section. The Commission shall establish guidelines to aid the Legislative Counsel in determining whether legislation should be deemed "general" in that it applies equally to all persons embraced in a class founded upon some natural, intrinsic, or constitutional distinction, or "special or local" in that it confers a particular privilege or imposes special conditions on a selected class of otherwise similarly situated persons.

(e) In any instance in which a Member abstains from voting on a bill, resolution, or constitutional amendment because he or she has a conflict of interest (whether in a legislative committee or subcommittee, or on the Assembly or Senate floor), the Member shall so indicate, and the number of members required to pass the measure or to report it out of the committee or subcommittee shall consist of a majority of the remaining, qualified members This subdivision shall not apply to floor votes on any measure requiring concurrence by more than a simple majority of the membership.

(f) Neither this section nor Section 87100 shall prevent any member of the Legislature from voting on a bill establishing the compensation of members of the Legislature in accordance with Article IV, Section 4 of the state Constitution

SECTION 15. Section 87101 of the Government Code is amended to read:

87101. *Legally Required Participation in Governmental Decision*

~~Section~~ *Sections* 87100 *and 87102* ~~does~~ *do* not prevent any public official from making or participating in the making of a governmental decision to the extent his *or her* participation is legally required for the action or decision to be made. The fact that an official's vote is needed to break a tie does not make his *or her* participation legally required for purposes of this section.

SECTION 16. Article IV, Section 8 of the State Constitution, as amended by Proposition 109 at the June 5, 1990 Primary Election, is further amended to read:

SEC. 8. (a) At regular sessions no bill other than the budget bill may be heard or acted on by committee or either house until the 31st day after the bill is introduced unless the house dispenses with this requirement by rollcall vote entered in the journal, three fourths of the membership concurring.

(b) The Legislature ~~may~~ *shall* make no law except by statute and may enact no statute except by bill. No bill may be passed unless it is read by title on 3 days in each house except that the house may dispense with this requirement by rollcall vote entered in the journal, two thirds of the membership concurring. No bill may be passed until the bill with amendments has been printed and distributed to the members. No bill may be passed unless, by rollcall vote entered in the journal, a majority of the membership of each house *eligible to vote* concurs.

(c) (1) Except as provided in paragraphs (2) and (3) of this subdivision, a statute enacted at a regular session shall go into effect on January 1 next following a 90-day period from the date of enactment of the statute and a statute enacted at a special session shall go into effect on the 91st day after adjournment of the special session at which the bill was passed.

(2) A statute, other than a statute establishing or changing boundaries of any legislative, congressional, or other election district, enacted by a bill passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, shall go into effect on January 1 next following the enactment date of the statute unless, before January 1, a copy of a referendum petition affecting the statute is submitted to the Attorney General pursuant to subdivision (d) of Section 10 of Article II, in which

event the statute shall go into effect on the 91st day after the enactment date unless the petition has been presented to the Secretary of State pursuant to subdivision (b) of Section 9 of Article II.

(3) Statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the state, and urgency statutes shall go into effect immediately upon their enactment.

(d) Urgency statutes are those necessary for immediate preservation of the public peace, health, or safety. A statement of facts constituting the necessity shall be set forth in one section of the bill. In each house the section and the bill shall be passed separately, each by rollcall vote entered in the journal, two thirds of the membership concurring. An urgency statute may not create or abolish any office or change the salary, term, or duties of any office, or grant any franchise or special privilege, or create any vested right or interest.

TITLE V.

RESTRICTION ON PERSONAL USE OF CAMPAIGN FUNDS

SECTION 17. Section 85800 of the Government Code is amended to read:

85800. (a) This article applies to campaign funds held by candidates for elective office, elected officers, controlled committees, ballot measure committees, committees opposed to a candidate or measure, political action committees, and any committee which qualifies as a committee pursuant to subdivision (a) of Section 82013.

(b) (1) For purposes of this chapter, "campaign funds" includes any contributions, cash, cash equivalents, and other assets received or possessed by a committee as defined by subdivision (a) of Section 82013.

(2) For purposes of this chapter, "substantial personal benefit" means an expenditure of campaign funds which results in a ~~direct~~ personal benefit with a value of more than ~~one hundred~~ *twenty-five* dollars ~~($100)~~ *($25)* to a candidate or elected officer.

(3) For purposes of this article, "household" includes the candidate's or elected officer's spouse, dependent children, and parents who reside with the candidate or elected officer.

SECTION 18 Section 85802 of the Government Code is amended to read:

85802. The following provisions ~~govern the use of campaign funds for the specific expenditures set forth in this section. It is the intent of the Legislature that these provisions~~ shall guide the interpretation of the standard imposed by Section 85801 as applied to other expenditures not specifically set forth below.

(a) Campaign funds shall not be used to pay or reimburse the candidate, the elected officer, or employees or staff of the campaign committee or the elected officer's governmental agency for travel expenses and necessary accommodations except when these expenditures are directly related to a political, legislative, or governmental purpose.

(1) For the purposes of this section, payments or reimbursements for travel and necessary accommodations shall be considered as directly related to a political, legislative, or governmental purpose if the payments would meet ~~standards similar to~~ the standards of the Internal Revenue Service pursuant to Sections 162 and 274 of the Internal Revenue Code for deductions of travel expenses under the federal income tax law.

(2) For the purposes of this section, payments or reimbursement for travel by the household of a candidate or elected officer when traveling *within California*

to the same destination in order to accompany the candidate or elected officer shall be considered for the same purpose as the candidate's or elected officer's travel.

(3) *For the purposes of this section, payments or reimbursement for travel by the spouse of a candidate or elected officer when traveling outside California to the same destination in order to accompany the candidate or elected officer shall be considered for the same purpose as the candidate's or elected officer's travel.*

(4) Whenever campaign funds are used to pay or reimburse a candidate, elected officer, his or her representative, or a member of the candidate's household for travel expenses and necessary accommodations, the expenditure shall be reported as required by paragraph (7) of subdivision (j) of Section 84211.

(b) Campaign funds shall not be used to pay for or reimburse the cost of professional services unless the services are directly related to a political, legislative, or governmental purpose.

(1) Expenditures by a campaign committee to pay for professional services reasonably required by the campaign committee to assist it in the performance of its administrative functions are directly related to a political, legislative, or governmental purpose.

(2) Campaign funds shall not be used to pay health-related expenses for a candidate, elected officer, or members of his or her household. "Health-related expenses" include, but are not limited to, examinations by physicians, dentists, psychiatrists, psychologists, or counselors, expenses ~~or~~ *for* medications, treatments or medical equipment, expenses for hospitalization, health club dues, and special dietary foods. However, campaign funds may be used to pay employer costs of health care benefits for a member of the candidate's or elected officer's household who is a bona fide employee of the campaign committee.

(c) Campaign funds shall not be used to pay or reimburse fines, penalties, judgments, or settlements ~~, except those~~ resulting from ~~either~~ *any* of the following:

(1) *A criminal prosecution, including traffic citations, except for parking* ~~Parking~~ citations incurred in the performance of an activity which was directly related to a political, legislative, or governmental purpose.

(2) *A civil or administrative action in which the candidate or officeholder is found to have committed or admits to an intentional or grossly negligent violation of law.*

(3) Any other action for which payment of attorney's fees from ~~contributions~~ *campaign funds* would *not* be permitted pursuant to this title.

(d) Campaign funds shall not be used for campaign, business, or casual clothing except specialty clothing that is not suitable for everyday use, including, but not limited to, formal wear, where this attire is to be worn by the candidate or elected officer and is directly related to a political, legislative, or governmental purpose.

(e) Except where otherwise prohibited by law, campaign funds may be used to purchase or reimburse for the costs of purchase of tickets to political fundraising events for the attendance of a candidate, elected officer, his or her immediate family, and employees or staff of the campaign committee and the elected officer's governmental agency.

(1) Campaign funds shall not be used to pay for or reimburse for the costs of tickets for entertainment or sporting events for the candidate, elected officer, or members of his or her immediate family unless their attendance at the event is directly related to a political, legislative, or governmental purpose.

(2) The purchase of tickets for entertainment or sporting events for the benefit of persons other than the candidate, elected officer, or his or her immediate family are governed by subdivision (f).

(f) (1) Campaign funds shall not be used to make personal gifts unless the gift is directly related to a political, legislative, or governmental purpose. In the case of a public employee, compensation received from a public agency shall constitute full and adequate consideration for all services performed in connection with the public employment. The refund of a campaign contribution does not constitute the making of a gift.

Nothing in this section shall prohibit the use of campaign funds to reimburse or otherwise compensate a public employee for services rendered to a candidate or campaign committee while on vacation, leave, or otherwise outside of compensated public time.

(2) An election victory celebration or similar campaign event, or gifts totaling less than one hundred dollars ($100) in a calendar year made to an employee or a campaign committee worker, or to an employee of the elected officer's agency, are considered to be directly related to a political, legislative, or governmental purpose.

(g) Campaign funds shall not be used to make loans other than to organizations pursuant to Section 85803.

SECTION 19. Section 85802.5 of the Government Code is amended to read:

85802.5. ~~(a)~~ Expenditures of campaign funds for attorney's fees and other costs in connection with administrative, civil, or criminal litigation are not directly related to a political, legislative, or governmental purpose except where *(1)* the litigation arises directly out of ~~a candidate's or elected officer's activities, duties, or status as a candidate or elected officer,~~ *the conduct of a campaign or election process,* including, but not limited to, an action to enjoin defamation, defense of an action to enjoin defamation, defense of an action brought for ~~a~~ violation of state or local campaign, disclosure, or election laws, and an action arising from an election contest or recount, *or (2) the litigation arises directly out of the performance of an elected officer's legislative or governmental duties.*

~~(b) This section shall become operative only if Senate Bill 284 of the 1989/90 Regular Session is not chaptered and does not take effect on or before January 1, 1990.~~

SECTION 20. Section 85806 of the Government Code is amended to read:

85806 Campaign funds shall not be used to compensate a candidate or elected officer for the performance of political, legislative, or governmental activities, except for reimbursement, made pursuant to Section ~~85201,~~ *85301,* of out-of-pocket expenses incurred for political, legislative, or governmental purposes.

SECTION 21. Section 85807 of the Government Code is repealed.

~~85807. Upon leaving any elected office, or at the end of the postelection reporting period following the defeat of a candidate for elective office, whichever occurs last, campaign funds raised after January 1, 1989, under the control of the former candidate or elected officer shall be considered surplus campaign funds and shall be disclosed pursuant to the requirements of Chapter 4 (commencing with Section 84100) and shall be made only for the following purposes:~~

~~(a) The payment of outstanding campaign debts or elected officer's expenses.~~

~~(b) The pro rata repayment of contributions.~~

~~(c) Donations to any bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, where no substantial part of the~~

~~proceeds will have a material financial effect on the former candidate or elected officer, any member of his or her immediate family, or his or her campaign treasurer.~~

~~(d) Contributions to a political party or committee so long as the funds are not used to make contributions in support of or opposition to a candidate for elective office.~~

~~(e) Contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure.~~

TITLE VI
"REVOLVING DOOR" LOBBYING RESTRICTIONS

SECTION 22. Section 87401 of the Government Code is amended to read:

87401 *(a)* No former state administrative official, after the termination of his or her employment or term of office, shall for compensation act as agent or attorney for, or otherwise represent, any other person (other than the State of California) before any court or state administrative agency or any officer or employee thereof ~~by making any formal or informal appearance, or~~ by making any oral or written communication with the intent to influence, in connection with any judicial, quasi-judicial, or other proceeding if both of the following apply:

~~(a)~~ *(1)* The State of California is a party or has a direct and substantial interest.

~~(b)~~ *(2)* The proceeding is one in which the former state administrative official participated.

(b) No designated employee, as defined in Section 82019, of the executive branch of state government or member of any state board or commission, for 12 months after leaving employment, shall for compensation act as agent or attorney for, or otherwise represent, any other person (other than the State of California or any state or local government agency) before an agency of the executive branch of state government or any official thereof, by making any formal or informal appearance, or by making any oral or written communication, if both of the following apply:

(1) The agency is one for which the employee or member worked for at least one month during the 12 months before leaving state service, or is one with which the employee or member has had significant decisionmaking influence during the 12 months before leaving state service. The Governor's Chief of Staff and the Director of the Department of Finance shall be presumed to have had significant decisionmaking influence with any state agency which is subject to the direction and control of the Governor.

(2) The appearance or communication is made for the purpose of influencing administrative or legislative action by the agency or official, including, but not limited to, any action by the agency or official to influence legislative action.

(c) No Member of the Legislature, for 12 months after the termination of his or her term of office, shall for compensation act as agent or attorney for, or otherwise represent, any other person (other than the State of California or any state or local government agency) before any committee of the Legislature or any member thereof, by making any formal or informal appearance, or by making any oral or written communication, if the appearance or communication is made for the purpose of influencing legislative action by the committee or member, including, but not limited to, any action by the committee or member to influence legislative action.

(d) No designated employee of the Legislature, for 12 months after leaving employment, shall for compensation act as agent or attorney for, or otherwise

represent, any other person (other than the State of California or any state or local government agency) before a committee of the Legislature or a member thereof, by making any formal or informal appearance, or by making any oral or written communication, if both of the following apply:

(1) The committee or member is one for which the employee worked for at least one month during the 12 months before leaving state service, or is one with which the employee has had significant decisionmaking influence during the 12 months before leaving state service. An employee of a committee shall be presumed to have had significant decisionmaking influence with the members of the committee.

(2) The appearance or communication is made for the purpose of influencing legislative action by the committee or member, including, but not limited to, any action by the committee or member to influence legislative action

(e) No person holding statewide elective office, for 12 months after leaving office, shall for compensation act as agent or attorney for, or otherwise represent, any other person (other than the State of California or any state or local government agency) before any state agency or official thereof, by making any oral or written communication with the intent to influence any action by the agency or official, unless the appearance or representation is in connection with a judicial or quasi-judicial proceeding on a matter in which the person formerly holding statewide elective office did not participate. In no event shall a person holding statewide elective office, for 12 months after leaving office, act for compensation as agent or attorney for, or otherwise represent, any other person (other than the State of California or any state or local government agency) before the state agency or department in which he or she served.

SECTION 23. Section 87402 of the Government Code is amended to read:

87402. No former state administrative official, *person holding statewide elective office, designated employee of the executive branch, member of a state board or commission, designated employee of the Legislature, or Member of the Legislature,* after the termination of his or her employment or term of office shall for compensation aid, advise, counsel, consult, or assist in representing any other person (except the State of California) in any proceeding in which the official would be prohibited from appearing under Section 87401

TITLE VII.

PROHIBITION ON PERSONAL OR POLITICAL USE OF STATE RESOURCES

SECTION 24. Section 8314 is added to the Government Code, to read.

8314 (a) It shall be unlawful for any elected state officer, appointee, employee, or consultant, to use or permit others to use state resources for personal, political, or other purposes which are not authorized by law.

(b) For purposes of this section·

(1) "Personal purpose" means those activities the purpose of which is for personal enjoyment, private gain or advantage, or an outside endeavor not related to state business "Personal purpose" does not include an occasional telephone call, or an incidental and minimal use of state resources, such as equipment or office space, for personal purposes.

(2) "Political purpose" means those activities the purpose of which is to influence voters with regard to a candidate or ballot measure election. Those activities include activities commonly associated with conducting a political campaign, such as fundraising, mailings, organizing campaign meetings and appearances, preparing position papers and speeches for use in a campaign, and

planning campaign strategy. Those activities do not include the incidental use of state resources to refer unsolicited political mail, telephone calls, and visitors to private political entities.

(3) "State resources" means any state property or asset, including, but not limited to, state land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and state compensated time.

(4) "Use" means a use of state resources which is substantial enough to result in a gain or advantage to the user or a loss to the state for which a monetary value may be estimated.

(c) (1) Any person who intentionally or negligently violates this section shall be liable for a civil penalty not to exceed one thousand dollars ($1,000) for each day on which a violation occurs, plus three times the value of the unlawful use of state resources. The penalty shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General, or by any district attorney or any elected city attorney for violations committed within their jurisdiction. If two or more persons are responsible for any violation, they shall be jointly and severally liable for the penalty.

(2) If the action is brought by the Attorney General, the moneys recovered shall be paid into the General Fund. If the action is brought by a district attorney, the moneys recovered shall be paid to the treasurer of the county in which the judgment was entered. If the action is brought by a city attorney, the moneys recovered shall be paid to the treasurer of that city.

(3) No civil action alleging a violation of this section shall be commenced more than four years after the date the alleged violation occurred

TITLE VIII.

SPECIAL PROSECUTOR

SECTION 25. Article 2.5 (commencing with Section 12530) is added to Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code, to read:

Article 2 5 Special Investigation and Prosecution Unit

12530 As used in this article.

(a) "State officer" means the Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Insurance Commissioner, Superintendent of Public Instruction, judges, court commissioners, Members of the Legislature, Members of the State Board of Equalization, and every member, officer, or consultant of a state office, department, division, bureau, agency, board or commission.

(b) "Local officer" means any person who holds any regional, county, municipal or district elective office, and every member, officer, employee, or consultant of a county, city, city and county, or district of any kind, including a school district, or any other local or regional political subdivision, or any department, division, bureau, office, board, commission, or other agency of the foregoing

12531 (a) There is in the office of the Attorney General the Special Investigation and Prosecution Unit, which is authorized to establish a statewide program for coordinating the investigation and prosecution, either through criminal or appropriate civil action, of alleged criminal or civil violations of law by state officers or candidates for elective state office, committed in the discharge of their official duties or contrary to their official duties, or in their conduct relating to any political campaign.

(b) Local law enforcement and prosecution agencies shall have concurrent jurisdiction with the Special Investigation and Prosecution Unit to investigate and prosecute violations of law referred to in this section. The appropriate district attorney or district attorneys shall have the initial responsibility of determining whether these violations shall be prosecuted.

(c) The Special Investigation and Prosecution Unit may advise and assist local law enforcement and prosecution agencies in the investigation and prosecution of local officers and candidates for local elected office who are alleged to have committed criminal or other unlawful acts in the discharge of their official duties or contrary to their official duties or in their conduct relating to political campaigns.

12532. (a) When the Attorney General determines in the interest of justice or because of a conflict of interest that the Attorney General should not investigate or prosecute alleged criminal or civil violations by state officers, or candidates for elected state office, the Attorney General may request the appointment of a special prosecutor to conduct the investigation, and if necessary, the prosecution.

(b) The request for the appointment of a special prosecutor shall be made to the court of appeal that has jurisdiction over the county or counties in which the unlawful acts are alleged to have occurred.

(c) Upon request by the Attorney General, the court of appeal shall appoint a special prosecutor from the office of an incumbent district attorney. No person from the office of the district attorney of the county in which the unlawful acts are alleged to have occurred shall be appointed as the special prosecutor.

(d) A special prosecutor appointed pursuant to this article may be removed from office only by the personal action of the Attorney General, and only for good cause, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the special prosecutor's duties.

(e) All expenses reasonably incurred by the appointed special prosecutor shall be paid by the Department of Justice.

12533. The Attorney General shall submit a report to the Legislature by October 1 of each year on the resolution of complaints filed with the Attorney General and district attorneys which allege criminal or other violations of the law by state officers or candidates for state office, committed in the discharge of their official duties or contrary to their official duties, or in their conduct relating to any political campaign

12534. Commencing July 1, 1991, and every July 1 thereafter, there is hereby appropriated from the General Fund to the Office of the Attorney General the sum of one million two hundred thousand dollars ($1,200,000), adjusted annually in the same manner as the state appropriation limitation is adjusted under Sections 1 and 8 of Article XIIIB of the state Constitution, for expenditures to support the operations of the Special Investigation and Prosecution Unit and to carry out its responsibilities pursuant to this article The expenditure of funds under this appropriation shall be subject to the normal administrative review given to other state appropriations. The Legislature shall appropriate additional amounts to the Office of the Attorney General and other agencies as may be necessary to carry out the provisions of this article.

TITLE IX.

CAMPAIGN FINANCE REFORM

SECTION 26. Articles 1 through 7 of Chapter 5 (commencing with Section 85100) of Title 9 of the Government Code are repealed. Notwithstanding Section 39 of this measure, this section is not severable from Section 27 of this measure.

~~Article 1. Findings and Purposes~~

~~85100. Title~~

~~This chapter shall be known as the Campaign Spending Limits Act of 1986.~~

~~85101. Findings and Declarations~~

~~The people find and declare each of the following:~~

~~(a) Monetary contributions to political campaigns are a legitimate form of participation in the American political process, but the financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence on the election of legislative candidates.~~

~~(b) Campaign spending for California legislative campaigns is escalating to dangerous levels. The average legislative race cost nearly four hundred fifty thousand dollars ($450,000) in 1984. Million dollar electoral contests for seats which pay thirty-three thousand seven hundred thirty-two dollars ($33,732) a year are increasingly common.~~

~~(c) The rapidly increasing costs of political campaigns have forced many legislative candidates to raise larger and larger percentages of money from statewide interest groups with a specific financial stake in matters before the Legislature. This has caused the public perception that legislators' votes are being improperly influenced by monetary contributions. This perception is undermining the credibility and integrity of the Legislature and the governmental process.~~

~~(d) The average legislative candidate now raises over 90% of his or her campaign contributions from sources outside his or her own district. This has caused the growing public perception that legislators are less interested in the problems of their own constituents than the problems of wealthier statewide contributors.~~

~~(e) Legislative candidates are raising less money in small contributions and more money in large individual and organizational contributions. This has created the public impression that the small contributor has an insignificant role to play in political campaigns.~~

~~(f) High campaign costs are forcing legislators to spend more time on fundraising and less time on the public's business. The constant pressure to raise contributions is distracting legislators from urgent legislative matters.~~

~~(g) Legislators are responding to high campaign costs by raising large amounts of money in off-election years. This fundraising distracts legislators from important public matters, encourages contributions which may have a corrupting influence and gives incumbents an unfair fundraising advantage over potential challengers.~~

~~(h) Incumbents are raising far more money than challengers. In the 1984 general election, Assembly incumbents outspent their challengers by a 14-to-1 ratio and won 100% of their contests. In 1983, a non-election year, incumbent legislators raised $14.3 million while their challengers raised less than fifty thousand dollars ($50,000). In 1984, out of 100 legislative races in the primary and general elections, only two incumbents were defeated. The fundraising advantages of incumbency are diminishing electoral competition between incumbents and challengers.~~

~~(i) The integrity of the legislative process, the competitiveness of campaigns and public confidence in legislative officials are all diminishing.~~

~~85102. Purpose of this Chapter~~

~~The people enact this Act to accomplish the following purposes:~~

~~(a) To ensure that individuals and interest groups in our society have a fair and equal opportunity to participate in the elective and legislative processes.~~

~~(b) To reduce the influence of large contributors with a specific financial stake in matters before the Legislature, thus countering the perception that legislation is influenced more by the size of contributions than the merits of legislation or the best interests of the people of California.~~

~~(c) To assist serious candidates in raising enough money to communicate their views and positions adequately to the public without excessive expenditures or large contributions, thereby promoting public discussion of the important issues involved in political campaigns.~~

~~(d) To limit overall expenditures in legislative campaigns, thereby reducing the pressure on legislative candidates to raise large campaign war chests beyond the amount necessary to communicate reasonably with voters.~~

~~(e) To provide a neutral source of campaign financing by allowing individual taxpayers voluntarily to dedicate a portion of their state taxes to defray a portion of the costs of legislative campaigns.~~

~~(f) To increase the importance of in-/district contributions.~~

~~(g) To increase the importance of smaller contributions.~~

~~(h) To eliminate off-year fundraising.~~

~~(i) To reduce excessive fundraising advantages of incumbents and thus encourage competition for elective office.~~

~~(j) To allow candidates and legislators to spend a lesser proportion of their time on fundraising and a greater proportion of their time discussing important legislative issues.~~

~~(k) To improve the disclosure of contribution sources in reasonable and effective ways.~~

~~(l) To ensure that serious candidates are able to raise enough money to communicate their views and positions adequately to the public, thereby promoting public discussion of the important issues involved in political cam-/paigns.~~

~~(m) To help restore public trust in the state's legislative and electoral institutions.~~

~~Article 2. Definitions~~

~~85200. Interpretation of this Chapter~~

~~Unless the term is specifically defined in this chapter or the contrary is stated or clearly appears from the context, the definitions set forth in Chapter 2 (commencing with Section 82000) shall govern the interpretation of this chapter.~~

~~85201. Legislative Caucus Committee~~

~~"Legislative caucus committee" means a committee controlled by the caucus of each political party of each house of the Legislature. Each party of each house may establish only one such committee which shall not be considered to be a candidate-/controlled committee. A "legislative caucus committee" may make contributions to any candidate running for legislative office.~~

~~85202. Small Contributor Political Action Committee~~

~~"Small contributor political action committee" means any committee which meets all of the following criteria:~~

~~(a) All the contributions it receives from any person in a twelve month period total $50 or less.~~

~~(b) It has been in existence at least six months.~~

~~(c) It contributes to at least five candidates.~~

~~(d) It is not a candidate-controlled committee.~~

~~85203. Qualified Campaign Expenditure~~

~~(a) "Qualified campaign expenditure" for legislative candidates includes all of the following:~~

~~(1) Any expenditure made by a candidate for legislative office, or by a committee controlled by such a candidate, for the purpose of influencing or attempting to influence the actions of the voters for or against the election of any candidate for legislative office.~~

~~(2) Any transfer of anything of value made by the legislative candidate's controlled committee to any other committee.~~

~~(3) A non-monetary contribution provided at the request of or with the approval of the legislative candidate, legislative officeholder or committee controlled by the legislative candidate or legislative officeholder.~~

~~(4) That portion of a slate mailing or other campaign literature produced or authorized by more than one legislative candidate which is the greater of the cost actually paid by the committee or controlled committee of the legislative candidate or the proportionate share of the cost for each such candidate. The number of legislative candidates sharing costs and the emphasis on or space devoted to each such candidate shall be considered in determining the cost attributable to each such candidate.~~

~~(b) "Qualified campaign expenditure" does not include any payment if it is clear from the surrounding circumstances that it was not made for political purposes.~~

~~85204. Two-Year Period~~

~~"Two-year period" means the period commencing with January 1 of an odd-numbered year and ending with December 31 of an even-numbered year.~~

~~85205. Campaign Reform Fund~~

~~"Campaign Reform Fund" means the fund created by Section 18775 of the Revenue and Taxation code.~~

~~85206. Organization~~

~~"Organization" means a proprietorship, labor union, firm, partnership, joint venture, syndicate, business trust, company, corporation, association or committee which has 25 or more employees, shareholders, contributors, or members.~~

~~Article 3. Contribution Limitations~~

~~85300. Limitations on Contributions from Persons~~

~~(a) No person shall make to any candidate for legislative office and the controlled committee of such a candidate and no such candidate and the candidate's controlled committee shall accept from each such person a contribution or contributions totaling more than one thousand dollars ($1,000) for each of the following elections in which the candidate is on the ballot or is a write-in candidate: a primary election, a general election, a special election or special runoff election.~~

~~(b) No organization shall make to any candidate for legislative office and the controlled committee of such a candidate and no such candidate and the candidate's controlled committee shall accept from each such organization a contribution or contributions totaling more than two thousand five hundred dollars ($2,500) for each of the following elections in which the candidate is on the~~

~~ballot or is a write-in candidate: a primary election, a general election, a special election or special runoff election.~~

~~(c) No person shall make to any committee which supports or opposes any legislative candidate and no such committee shall accept from each such person a contribution or contributions totaling more than one thousand dollars ($1,000) per year.~~

~~(d) No organization shall make to any committee which supports or opposes any legislative candidate and no such committee shall accept from each such organization a contribution or contributions totaling more than two thousand five hundred dollars ($2,500) per year.~~

~~85301. Limitations on Contributions from Small Contributor Political Action Committees~~

~~(a) No small contributor political action committee shall make to any candidate for legislative office and the controlled committee of such a candidate, and no such candidate and the candidate's controlled committee shall accept from a small contributor political action committee a contribution or contributions totaling more than five thousand dollars ($5,000) for each of the following elections in which the candidate is on the ballot or is a write-in candidate: a primary election, a general election, a special election or special runoff election.~~

~~(b) No small contributor political action committee shall make to any committee supporting or opposing a legislative candidate and no such committee shall accept from a small contributor political action committee a contribution or contributions totaling more than five thousand dollars ($5,000) in a two-year period.~~

~~85302. Limitations on Contributions to Political Parties and Legislative Caucus Committees~~

~~No person, including an organization or a small contributor political action committee, shall make to any political party committee supporting or opposing legislative candidates or legislative caucus, and no such party committee or legislative caucus committee shall accept from each such person a contribution or contributions totaling more than five thousand dollars ($5,000) in a two-year period.~~

~~85303. Limitations on Contributions from Political Parties and Legislative Caucuses~~

~~No more than a total of fifty thousand dollars ($50,000) in the case of an Assembly candidate, and a total of seventy-five thousand dollars ($75,000) in the case of a Senate candidate, for a general election or special runoff election, shall be accepted in contributions from legislative caucus committees and political party committees by any candidate and the controlled committee of such a candidate. No legislative caucus committee or political party shall make a contribution to a legislative candidate running in a primary election or special election.~~

~~85304. Seed Money~~

~~The limitations in Sections 85300 and 85301 shall not apply to contributions to a candidate for legislative office until the candidate has raised thirty-five thousand dollars ($35,000) in the election year.~~

~~85305. Limitations on Contributions from Non-Individuals~~

~~No more than a total of fifty thousand dollars ($50,000) in the case of an Assembly candidate, and a total of seventy-five thousand dollars ($75,000) in the case of a Senate candidate, for either a primary, general, special or special runoff election, shall be accepted in contributions from non-individuals by any candi-~~

~~date and the controlled committee of such a candidate. Contributions from political parties and legislative caucuses shall be exempt from this provision.~~

~~85306. Limitations on Total Contributions from Persons~~

~~No person shall make to legislative candidates or to committees supporting legislative candidates contributions aggregating more than twenty-five thousand dollars ($25,000) in a two-year period. Contributions to and contributions from political parties and legislative caucuses shall be exempt from this provision.~~

~~85307. Limitations on Total Contributions from Organizations or Small Contributor Political Action Committees~~

~~No organization or small contributor political action committee shall make to legislative candidates or to committees supporting legislative candidates contributions aggregating more than two hundred thousand dollars ($200,000) in a two-year period. Contributions from political parties and legislative caucuses shall be exempt from this section.~~

~~85308. Prohibition on Transfers~~

~~(a) No candidate and no committee controlled by a candidate or candidates for legislative office or controlled by a legislator or legislators, other than a legislative caucus committee or political party, shall make any contribution to a candidate running for legislative office or to any committee supporting such a candidate including a legislative caucus committee or party committee.~~

~~(b) This section shall not prohibit a candidate from making a contribution from his or her own personal funds to his or her candidacy or to the candidacy of any other candidate for legislative office.~~

~~85309. Prohibition on Off Year Contributions~~

~~(a) No legislative candidate or legislator or any controlled committee of such a candidate or legislator shall accept any contribution in any year other than the year in which the legislative candidate or legislator is listed on the ballot as a candidate for legislative office.~~

~~(b) No legislative caucus committee or political party committee supporting or opposing legislative candidates shall accept any contribution in an odd-numbered year.~~

~~85310. Limitations on Payments of Gifts and Honoraria~~

~~No legislator or legislative candidate and any fund controlled by such a person shall receive more than two thousand dollars ($2,000) in honoraria and gifts in a two-year period from any person other than a member of the candidate's family as specified in Section 82030 (b) (9).~~

~~85311. Return of Contributions~~

~~A contribution shall not be considered to be received if it is not negotiated, deposited, or utilized, and in addition it is returned to the donor within fourteen (14) days of receipt.~~

~~85312. Aggregation of Payments~~

~~For purposes of the contribution limitations in Sections 85300-85307, inclusive, and Section 85310, the following shall apply:~~

~~(a) All payments made by a person, organization or small contributor political action committee whose contributions or expenditure activity is financed, maintained or controlled by any business entity, labor organization, association, political party or any other person or committee, including any parent, subsidiary, branch, division, department or local unit of the business entity, labor organization, association, political party or any other person, or by any group of such persons shall be considered to be made by a single person, committee or small contributor political action committee.~~

~~(b) Two or more entities shall be treated as one person when any of the following circumstances apply:~~

~~(1) The entities share the majority of members of their boards of directors.~~

~~(2) The entities share two or more officers.~~

~~(3) The entities are owned or controlled by the same majority shareholder or shareholders.~~

~~(4) The entities are in a parent-subsidiary relationship.~~

~~(c) An individual and any general partnership in which the individual is a partner, or an individual and any corporation in which the individual owns a controlling interest, shall be treated as one person.~~

~~(d) No committee which supports or opposes a candidate for legislative office shall have as officers individuals who serve as officers on any other committee which supports or opposes the same candidate. No such committee shall act in concert with, or solicit or make contributions on behalf of, any other committee. This subdivision shall not apply to treasurers of committees if these treasurers do not participate in or control in any way a decision on which legislative candidate or candidates receive contributions.~~

~~85313. Loans~~

~~(a) A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to the contribution limitations of this chapter.~~

~~(b) Every loan to a candidate or the candidate's controlled committee shall be by written agreement and shall be filed with the candidate's or committee's campaign statement on which the loan is first reported.~~

~~(c) The proceeds of a loan made to a candidate by a commercial lending institution in the regular course of business on the same terms available to members of the public and which is secured or guaranteed shall not be subject to the contribution limits of this chapter.~~

~~(d) Extensions of credit (other than loans pursuant to subdivision (c)) for a period of more than thirty (30) days are subject to the contribution limitations of this chapter.~~

~~85314. Family Contributions~~

~~(a) Contributions by a husband and wife shall be treated as separate contributions and shall not be aggregated.~~

~~(b) Contributions by children under 18 shall be treated as contributions by their parents and attributed proportionately to each parent (one-half to each parent or the total amount to a single custodial parent).~~

~~85315. Candidate for Statewide or Local Office~~

~~The contribution limitations shall not apply to any contributions to a candidate for legislative office where such contributions are made to support the candidate's campaign for a specifically named statewide or local elective office, and all of the following conditions are met:~~

~~(a) The candidate specifically names the non-legislative office being sought.~~

~~(b) A separate committee and account for the non-legislative office being sought shall be established for the receipt of all contributions and the making of all expenditures in connection with the non-legislative office.~~

~~(c) The contributions to be exempted from the contribution limitations in this chapter are made directly to this separate committee's account.~~

~~(d) No expenditures from such an account shall be made to support the legislative candidate's campaign, or any other candidate's campaign for legislative office.~~

~~85316. One Campaign Committee and One Checking Account per Candidate~~

~~A legislative candidate shall have no more than one campaign committee and one checking account out of which all expenditures shall be made. This section shall not prohibit the establishment of savings accounts, but no qualified campaign expenditures shall be made out of these accounts.~~

~~85317. Time Periods for Primary Contributions and General Election Contributions~~

~~For purposes of the contribution limitations, contributions made at any time before July 1 of the election year shall be considered primary contributions, and contributions made from July 1 until December 31 of the election year shall be considered general election contributions. Contributions made at any time after the seat has become vacant and up through the date of the election shall be considered contributions in a special election, and contributions made after the special election and up through fifty-eight (58) days after the special runoff election shall be considered contributions in a special runoff election.~~

~~Article 4. Expenditure Limitations~~

~~85400. Expenditure Limitations for Assembly Candidates~~

~~No candidate for State Assembly who files a statement of acceptance of financing from the Campaign Reform Fund and any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts:~~

~~(a) One hundred fifty thousand dollars ($150,000) in a primary election.~~

~~(b) Two hundred twenty-five thousand dollars ($225,000) in a general, special, or special runoff election.~~

~~85401. Expenditure Limitations for State Senate Candidates~~

~~No candidate for State Senate who files a statement of acceptance of financing from the Campaign Reform Fund and any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts:~~

~~(a) Two hundred fifty thousand dollars ($250,000) in a primary election.~~

~~(b) Three hundred fifty thousand ($350,000) in a general, special or special runoff election.~~

~~85402. Expenditure Limitations Lifted / Primary Elections~~

~~In the primary election, if a candidate who declines to accept payments from the Campaign Reform Fund receives contributions or makes qualified campaign expenditures in excess of the expenditure limits, or if an independent committee or committees spend more than fifty thousand dollars ($50,000) in support of, or in opposition to any legislative candidate, the expenditure limitation shall no longer be applicable to all candidates who seek the party nomination for the same seat. In addition, each candidate, other than the candidate who exceeded the expenditure limits, shall be permitted to receive an additional thirty-five thousand dollars ($35,000) free of contribution limitations, in accordance with Section 85304.~~

~~85403. Expenditure Limitations Lifted / Non-Primary Elections~~

~~In the general, special or special runoff election, if a candidate who declines to accept payments from the Campaign Reform Fund receives contributions or makes qualified campaign expenditures in excess of the expenditure limits, or if an independent expenditure committee or committees spend more than fifty thousand dollars ($50,000) in support of or in opposition to any legislative candidate, the expenditure limitations shall no longer be applicable to all candidates running for the same seat in the general, special or special runoff~~

~~election. In addition, each candidate, other than the candidate who exceeded the expenditure limits, shall be permitted to receive an additional thirty-five thousand dollars ($35,000) free of contribution limitations, in accordance with Section 85304.~~

~~85404. Notification by Candidate Who Exceeds Expenditure Limitations~~

~~A candidate who has declined to accept payments from the Campaign Reform Fund and receives contributions or spends an amount over the expenditure limitations shall notify all opponents and the Commission by telephone and by confirming telegram the day the limitations are exceeded.~~

~~85405. Time Periods for Primary Election Expenditures and General Election Expenditures~~

~~For purposes of the expenditure limitations, qualified campaign expenditures made at any time before June 30 of the election year shall be considered primary election expenditures, and qualified campaign expenditures made from July 1 until December 31 of the election year shall be considered general election expenditures. Qualified campaign expenditures made at any time after the seat has become vacant and up through the date of the election shall be considered expenditures in a special election, and qualified campaign expenditures made after the special election and up through 58 days after the special runoff election shall be considered expenditures in a special runoff election. However, in the event that payments are made but the goods or services are not used during the period purchased, the payments shall be considered qualified campaign expenditures for the time period when they are used. Payments for goods or services used in both time periods shall be prorated.~~

~~Article 5. Campaign Reform Fund~~

~~85500. Candidate Acceptance or Rejection of Funds~~

~~Each candidate for legislative office, at the time of filing his or her Declaration of Candidacy, shall file a statement of acceptance or rejection of financing from the Campaign Reform Fund. If a candidate agrees to accept financing from the Campaign Reform Fund, the candidate shall comply with the provisions of Article 4 of this Act. A candidate who agrees to accept financing from the Campaign Reform Fund may not change that decision. A candidate who does not agree to accept such financing shall notify all opponents and the Commission by telegram on the day such a candidate raises, spends or has cash on hand of more than thirty-five thousand dollars ($35,000).~~

~~85501. Qualification Requirements~~

~~In order to qualify to receive payments from the Campaign Reform Fund, a candidate shall meet all the following requirements:~~

~~(a) The candidate has received contributions (other than contributions from the candidate or his or her immediate family) of at least twenty thousand dollars ($20,000) in contributions of one thousand dollars ($1,000) or less if running for the Assembly, or at least thirty thousand dollars ($30,000) in contributions of one thousand dollars ($1,000) or less if running for the Senate. Only contributions received on or after January 1 of the election year or, if a special election, after the Declaration of Candidacy is filed, may be counted for the above threshold. For purposes of this subsection, a loan, a pledge or a non-monetary contribution shall not be considered a contribution.~~

~~(b) In the primary election, the candidate is opposed by a candidate running for the same nomination who has qualified for payments from the Campaign Reform Fund or has raised, spent or has cash on hand of at least thirty-five thousand dollars ($35,000).~~

~~(c) In the general election, the candidate is opposed by a candidate who has qualified for payments from the Campaign Reform Fund or has raised, spent or has cash on hand of at least thirty-five thousand dollars ($35,000).~~

~~(d) The candidate contributes no more than fifty thousand dollars ($50,000) per election from his or her personal funds to the legislative campaign.~~

~~85502. Campaign Reform Fund Formula~~

~~A candidate who is eligible to receive payments from the Campaign Reform Fund shall receive payments on the basis of the following formulas:~~

~~(a) For a contribution or contributions (other than a contribution from the candidate or his or her immediate family) totaling two hundred fifty dollars ($250) or under from a single source received on or after January 1 of the election year or, if a special election, after the Declaration of Candidacy is filed, a matching ratio of three dollars ($3) from the Campaign Reform Fund for each dollar received.~~

~~(b) For a contribution or contributions (other than a contribution from the candidate or his or her immediate family) totaling two hundred fifty ($250) or under from an individual who is a registered voter in the candidate's district and whose contribution is made on or after January 1 of the election year or, if a special election, after the candidate's Declaration of Candidacy is filed, a matching ratio of five dollars ($5) from the Campaign Reform Fund for each dollar received.~~

~~(c) For purposes of this section, a loan, a pledge or a non-monetary payment shall not be considered a contribution.~~

~~85503. Candidate Request for Payment~~

~~The Commission shall determine the information needed to be submitted to qualify for payment from the Campaign Reform Fund. A candidate may not request less than ten thousand dollars ($10,000) in payments at any one time from the Campaign Reform Fund; provided, however, that in the 14 days preceding an election, a candidate may not request less than two thousand five hundred ($2,500) in such payments.~~

~~85504. Maximum Funds Available to Candidate~~

~~No candidate shall receive payments from the Campaign Reform Fund in excess of the following amounts:~~

~~(a) For an Assembly candidate, seventy-five thousand dollars ($75,000) in the primary election and one hundred twelve thousand five hundred dollars ($112,500) in the general, special or special runoff election.~~

~~(b) For a Senate candidate, one hundred twenty-five thousand dollars ($125,000) in the primary election and one hundred seventy-five thousand dollars ($175,000) in the general, special or special runoff election.~~

~~85505. Timing of Payments to Candidates~~

~~The Controller shall make payments from the Campaign Reform Fund in the amount certified by the Commission. Payments shall be made no later than 3 business days after receipt of the request by the candidate. If the Commission determines the money in the Campaign Reform Fund is not, or may not be, sufficient to satisfy the full entitlements of the eligible candidates, the Commission shall notify the Controller to withhold sufficient amounts as may be necessary to assure that the eligible candidates will receive a pro rata share of their entitlements. The amount withheld shall be paid when the Commission determines that there is sufficient money in the Fund to pay the amounts or portions of the amounts. No payments shall be made from any source other than the Campaign Reform Fund.~~

~~85506. Surplus Funds~~

~~(a) Surplus funds remaining after all obligations are met by the candidate shall be returned to the Campaign Reform Fund after the general election based on a ratio of the public funds received by a candidate compared to the private funds raised by the candidate for each election.~~

~~(b) A legislative candidate who has more than one hundred thousand dollars ($100,000) in surplus funds after he or she complies with subdivision (a) shall either return all funds over one hundred thousand dollars ($100,000) to his or her contributors on a pro rata basis or shall donate the surplus over one hundred thousand dollars ($100,000) to the Campaign Reform Fund.~~

~~Article 6. Independent Expenditures~~

~~85600. Independent Expenditures for Mass Mailings~~

~~(a) Any person who makes independent expenditures for a mass mailing which supports or opposes any candidate for legislative office shall put the following statement on the mailing:~~

~~NOTICE TO VOTERS~~
~~(Required by State Law)~~

~~This mailing is not authorized or approved by any legislative candidate or election official.~~

~~It is paid for by_____~~
~~(name)~~

~~_____~~
~~Address, City, State~~

~~(b) The statement required by this section shall appear on the envelope and on each page or fold of the mass mailing in at least 10-point type, not subject to the half-tone or screening process, and in a printed or drawn box set apart from any other printed matter.~~

~~85601. Contribution Limitations~~

~~Any person who makes independent expenditures supporting or opposing a legislative candidate shall not accept any contribution in excess of the amounts set forth in Section 85300(c) and (d).~~

~~85602. Limitations on Persons Who Make Independent Expenditures and Contributions to Candidates~~

~~Any person who makes a contribution of one hundred dollars ($100) or more to a candidate for legislative office shall be considered to be acting in concert with that candidate and shall not make independent expenditures and contributions in excess of the amounts set forth in Sections 85300 and 85301 in support of that candidate or in opposition to that candidate's opponent.~~

~~85603. Reproduction of Materials~~

~~Any person who reproduces, broadcasts or distributes any material which is drafted, printed, prepared or previously broadcast by a legislative candidate or a committee controlled by such a candidate shall report such an expenditure as a non-monetary contribution to such candidate or committee.~~

~~85604. Notice of Independent Expenditures~~

~~Any person who makes independent expenditures of more than ten thousand dollars ($10,000) in support of or in opposition to any legislative candidate shall notify the Commission and all candidates in that legislative district by telegram each time this threshold is met.~~

~~Article 7. Agency Responsibilities~~

~~85700. Duties of the Fair Political Practices Commission~~

~~The Fair Political Practices Commission, in addition to its responsibilities set forth in Sections 83100 et seq., shall also:~~

~~(a) Adjust the expenditure limitations, contribution limitations and public financing provisions in January of every even-/numbered year to reflect any in-/crease or decrease in the Consumer Price Index. Such adjustments shall be rounded off to the nearest hundred for the limitations on contributions and the nearest thousand for the limitations on expenditures and the public financing provisions.~~

~~(b) Prescribe the necessary forms for filing the appropriate statements.~~

~~(c) Verify the requests for payment for Campaign Reform Funds.~~

~~(d) Prepare and release studies on the impact of this title. These studies shall include legislative recommendations which further the purposes of this title.~~

~~85701. Duties of the Franchise Tax Board~~

~~The Franchise Tax Board shall audit each candidate who has received payments from the Campaign Reform Fund in accordance with the procedures set forth in Sections 90000 et seq.~~

SECTION 27. Articles 1 through 7 and Article 9 are added to Chapter 5 (commencing with Section 85100) of Title 9 of the Government Code, to read:

CHAPTER 5 THE CAMPAIGN FINANCE REFORM ACT OF 1990

Article 1. Findings and Purposes

85100. Title

This chapter shall be known and cited as the Campaign Finance Reform Act of 1990.

85101. Findings and Declarations

The people find and declare each of the following:

(a) Monetary contributions to political campaigns are a legitimate form of participation in the American political process, but the financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates.

(b) Campaign spending for California elective offices is escalating to dangerous levels. The rapidly increasing costs of political campaigns have forced many candidates to raise larger and larger percentages of money from interest groups with a specific financial stake in matters before elected officers This has caused the public perception that elected officers' votes and decisions are being improperly influenced by monetary contributions This perception is undermining the credibility and integrity of the electoral and governmental process.

(c) The potentially corrupting influence of campaign contributions results not only from the perception that specific large monetary contributions might improperly influence the actions of elected officers, but from the overall pressure on candidates and elected officers to raise and spend enormous sums of money.

(d) The average legislative candidate now raises over 90% of his or her campaign contributions from sources outside his or her own district. This has

caused the growing public perception that legislators are less interested in the problems of their own constituents than the problems of wealthier statewide contributors.

(e) Candidates are raising less and less money in small contributions and more money in large individual and organizational contributions. This has created the public impression that the small contributor has an insignificant role to play in political campaigns.

(f) High campaign costs are forcing public officials to spend more time on fundraising and less time on the public's business. The constant pressure to raise contributions is distracting officeholders from urgent legislative and governmental matters.

(g) Elected officers are responding to high campaign costs by raising large amounts of money in non-election years. This fundraising distracts them from important public matters, encourages contributions which may have a corrupting influence, and gives incumbents an unfair fundraising advantage over potential challengers

(h) Incumbents are raising far more money than challengers. The fundraising advantages of incumbency are diminishing electoral competition between incumbents and challengers

(i) The integrity of the governmental and electoral processes, the competitiveness of campaigns, and public confidence in elected officers are all diminishing.

85102. Purpose of this Chapter

The people enact this Act to accomplish the following purposes·

(a) To ensure that individuals and interest groups in our society have a fair and equal opportunity to participate in the elective and governmental processes

(b) To reduce the influence of large contributors with a specific financial stake in matters before elected officers, thus countering the perception that governmental decisions are influenced more by the size of contributions than the merits of the issue or the best interests of the people of California.

(c) To assist serious candidates in raising enough money to communicate their views and positions adequately to the public without excessive reliance on large special-interest contributions, thereby promoting public discussion of the important issues involved in political campaigns.

(d) To limit overall expenditures in electoral campaigns, thereby reducing the pressure on candidates to raise large campaign war chests beyond the amount necessary to communicate reasonably with voters

(e) To provide a neutral source of campaign financing by allowing individual taxpayers voluntarily to dedicate a portion of their state taxes to defray a portion of the costs of electoral campaigns

(f) To increase the importance of contributions by individuals residing in a candidate's electoral district.

(g) To increase the importance of smaller contributions.

(h) To restrict non-election year fundraising.

(i) To reduce excessive fundraising advantages of incumbents and thus encourage competition for elective office

(j) To allow candidates and elected officers to spend a lesser proportion of their time on fundraising and a greater proportion of their time discussing important public issues.

(k) To improve the disclosure of contribution sources in reasonable and effective ways.

(l) To ensure that serious candidates are able to raise enough money to communicate their views and positions adequately to the public, thereby promoting public discussion of the important issues involved in political campaigns.

(m) To help restore public trust in the state's governmental and electoral institutions

85103 Local Campaign Finance Limitations

(a) Nothing in this chapter shall affect the validity of a campaign finance limitation, including a limitation on contributions, in effect on the effective date of this chapter which was enacted by a local governmental agency and imposes more restrictive campaign finance limitations.

(b) Nothing in this chapter shall prohibit a local governmental agency from adopting campaign finance limitations, including contribution limitations, for candidates for elective office in its jurisdiction as long as the limitations on contributions per election cycle contained therein are no less restrictive in their overall impact within that jurisdiction than those contained in this chapter.

85104. Authority of Commission

(a) The Commission may promulgate regulations to carry out the intent of this chapter as nearly as possible The Commission shall possess all lawful authority to forbid any specific practices the intent of which is to evade the provisions and requirements of this chapter.

(b) The Commission shall have the authority to determine that any contributions to or expenditures by a candidate or his or her controlled committee in one campaign were primarily made for the purpose or with the effect of influencing or attempting to influence the actions of the voters for or against the election of the candidate in another campaign, in which event any contributions or expenditures so determined shall be considered as, and cumulated with, any contributions to or qualified campaign expenditures of the latter campaign.

85105. Effective Date

The provisions of this chapter shall become effective on January 1, 1991

Article 2 Definitions

85200. Interpretation of this Chapter

(a) Unless the term is specifically defined in this chapter or the contrary is stated or clearly appears from the context, the definitions set forth in Chapter 2 (commencing with Section 82000) shall govern the interpretation of this chapter.

(b) The provisions of this chapter shall be interpreted and applied by the Commission so as to achieve maximum conformity with the findings and purposes specified herein

85201. Person

"Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, labor union, association, committee, and any other organization or group of persons acting in concert.

85202. Political Committee

"Political committee" means any committee of persons that meets all of the following criteria:

(a) It has been in existence for at least six months;

(b) It has received contributions from 25 or more persons during a two-year election cycle;

(c) It contributes to at least five candidates for elective office within California during a two-year election cycle; and

(d) It is not a candidate-controlled committee

85203. Small-Contributor Political Action Committee

"Small-contributor political action committee" means any political committee that meets all of the following criteria:

(a) It has been in existence for at least six months;

(b) It has received contributions from 100 or more persons during a two-year election cycle;

(c) It contributes to at least five candidates for elective office within California during a two-year election cycle;

(d) All the contributions it receives from any person in a calendar year total $100 or less; and

(e) It is not a candidate-controlled committee.

85204. Political Party Committee

"Political party committee," for purposes of the contribution limits set forth in this chapter, means any committee established by the following organizations·

(a) The state central committee or the statewide governing body of any political party or of any organization which is qualified for participation in a primary election pursuant to Article 2 (commencing with Section 6430) of Chapter 5 of Division 6 of the Elections Code.

(b) A county central committee established pursuant to the following provisions of the Elections Code: Sections 8820–8945; Sections 9320–9444; Sections 9700–9745, Sections 9830–9855; and Section 9955

(c) Any bona fide local political party club established or chartered by a state central or county central committee referred to in subsections (a) and (b).

(d) A single legislative caucus committee controlled by the caucus of each political party of each house of the Legislature.

No political party committee, as defined in this section, shall be considered a controlled committee for purposes of the contribution limits set forth in this chapter.

85205. Qualified Campaign Expenditure

(a) "Qualified campaign expenditure" for candidates for elective state office includes all of the following

(1) Any expenditure made by an elected state officer or a candidate for elective state office, or by a committee controlled by such a candidate, for the purpose or with the primary effect of influencing or attempting to influence the actions of the voters for or against the election of any candidate for elective state office.

(2) Any transfer of anything of value made by the candidate's controlled committee to any other committee.

(3) A non-monetary contribution provided at the request of or with the approval of the candidate, officeholder, or committee controlled by the candidate or officeholder.

(b) "Qualified campaign expenditure" does not include any payment for "legitimate officeholder expenses" within the meaning of that term as defined in Section 85206.

85206. Legitimate Officeholder Expenses

"Legitimate officeholder expenses" means those expenditures of campaign funds that arise out of the performance of an elected officer's official duties, directly assist the elected officer in performing his or her official duties, or principally benefit the legislative or governmental entity. Legitimate officeholder expenses include those expenses arising out of an elected officer's responsibilities as an official of his or her political party, such as those devolving upon the elected officer pursuant to Elections Code Sections 8660, 9160, 9640,

and 9790. The Commission shall by regulation specify categories of expenditures that qualify or do not qualify as "legitimate officeholder expenses" pursuant to this section.

85207. Two-Year Election Cycle

"Two-year election cycle" means the period commencing with January 1 of an odd-numbered year and ending with December 31 of the following even-numbered year.

85208. Campaign Reform Fund

"Campaign Reform Fund" means the fund created by Section 18775 of the Revenue and Taxation Code.

Article 3. Candidacy

85300. Declaration of Intent

Prior to the solicitation or receipt of any contribution or loan, an individual who intends to be a candidate for an elective office shall file with the Commission, or with such other filing officer as the Commission may designate, a statement signed under penalty of perjury of intention to be a candidate for a specific elective office and term. Except as provided in Section 85412, an individual may not solicit or receive contributions for more than one elective office at the same time.

85301. Campaign Contribution Account

(a) Upon the filing of the statement of intention pursuant to Section 85300, the individual shall establish one campaign contribution account for that specific elective office at a financial institution located in the state of California Except as provided in Section 85303, a candidate shall have no more than one campaign committee for elective office and no more than one campaign contribution account at any one time. This section shall not prohibit the establishment of savings accounts, but no qualified campaign expenditures shall be made out of such accounts.

(b) Upon the establishment of a campaign contribution account pursuant to subsection (a), the name of the financial institution, the specific location, and the account number shall be filed within 10 days with the Commission, or with such other filing officer as the Commission may designate.

(c) All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled campaign committee shall be deposited into the account established pursuant to subsection (a). Except as provided in subsection (d), any personal funds of the candidate that will be used to support his or her candidacy shall be deposited in the account prior to expenditure

(d) All campaign expenditures shall be made from the campaign contribution account established pursuant to subsection (a), except that the Commission shall by regulation permit personal funds to be used for travel expenses and petty cash expenditures if reimbursed by the campaign contribution account within a reasonable time period.

85302. Contributions Held in Trust

Except as provided in Section 85510, all contributions deposited into the campaign account established pursuant to Section 85301 shall be deemed to be held in trust for expenses associated with the election of the candidate to the specific office which, pursuant to Section 85300, the candidate has stated he or she intends to seek or for legitimate officeholder expenses, as specified in Section 85206, associated with holding that office.

85303. Officeholder Expense Account

(a) Notwithstanding Section 85301, an elected officer may establish and maintain a separate campaign contribution account to be used solely for payment of legitimate officeholder expenses. Upon assuming elective office, the officer may establish a single officeholder expense account at a financial institution located in California. The name of the institution, its specific location, and the account number shall be filed with the Commission, or with such other filing officer as the Commission may designate, within 10 days of opening the account.

(b) Upon establishing an officeholder expense account pursuant to subsection (a), the officer may deposit into the account any campaign contributions received in accordance with Section 85412 and any surplus funds transferred from another officeholder expense account in accordance with subdivision (d) of this section or from the officer's controlled campaign committee in accordance with Section 85510(c)(2).

(c) Any funds deposited into an officeholder expense account must be used solely to pay for legitimate officeholder expenses associated with holding the specific office for which the funds were raised. However, no funds shall be expended from an officeholder expense account after the elected officer has filed a Declaration of Candidacy for any elective office pursuant to Section 6490 of the Elections Code.

(d) An officeholder expense account established pursuant to this section shall be closed within sixty (60) days after the officer who established the account leaves office. Any surplus funds remaining in the account at that time may either be transferred to a new officeholder expense account established by the officer, donated to the Campaign Reform Fund, contributed to a political party committee, or donated to any bona fide charitable, educational, civic, religious, or similar tax-exempt organization, where no substantial part of the proceeds will have a material financial effect on the former elected official or any member of his or her immediate family. Any surplus funds contributed to a political party committee pursuant to this subsection shall be exempt from the contribution limitations of Section 85404.

Article 4. Contribution Limitations

85400. Limitation on Sources of Contributions

(a) A candidate for elective office may only accept campaign contributions from persons, political committees, small-contributor political action committees, and political party committees, and only in the amounts specified in this article (commencing with Section 85401). A candidate shall not solicit or accept contributions from any other source.

(b) All contributions received by a candidate and his or her controlled committees from a single source for any elections to be held on the same date shall be cumulated for purposes of the contribution limitations set forth in Sections 85401–85403.

85401. Limitations on Contributions from Persons

(a) No person shall make to any candidate and the controlled committee of such a candidate, and no such candidate and the candidate's controlled committee shall accept from each such person, a contribution or contributions totaling more than one thousand dollars ($1,000) for each of the following elections in which the candidate is on the ballot or is a write-in candidate: a primary election, a general election, a special election, or a special runoff election.

(b) No person shall make to any committee which supports or opposes any candidate, and no such committee shall accept from each such person, a contribution or contributions totaling more than one thousand dollars ($1,000) per calendar year.

(c) The limitations of this section shall not apply to a candidate's contribution of his or her own personal funds to his or her own controlled committee and campaign contribution account.

85402. Limitations on Contributions from Political Committees

(a) No political committee shall make to any candidate and the controlled committee of such a candidate, and no such candidate and the candidate's controlled committee shall accept from each such political committee, a contribution or contributions totaling more than two thousand five hundred dollars ($2,500) for each of the following elections in which the candidate is on the ballot or is a write-in candidate: a primary election, a general election, a special election, or a special runoff election. Contributions from political party committees to state candidates shall not be limited by this subsection.

(b) No political committee shall make to any committee which supports or opposes any candidate, and no such committee shall accept from each such political committee, a contribution or contributions totaling more than two thousand five hundred dollars ($2,500) per calendar year.

85403. Limitations on Contributions from Small-Contributor Political Action Committees

(a) No small-contributor political action committee shall make to any candidate and the controlled committee of such a candidate, and no such candidate and the candidate's controlled committee shall accept from a small-contributor political action committee, a contribution or contributions totaling more than ten thousand dollars ($10,000) for each of the following elections in which the candidate is on the ballot or is a write-in candidate. a primary election, a general election, a special election, or a special runoff election. Contributions from political party committees to state candidates shall not be limited by this subsection.

(b) No small-contributor political action committee shall make to any committee which supports or opposes a candidate, and no such committee shall accept from a small-contributor political action committee, a contribution or contributions totaling more than ten thousand dollars ($10,000) per calendar year

85404. Limitations on Contributions to Political Party Committees

(a) Except as provided in Section 85418, no person shall make to any political party committee which supports or opposes a candidate, and no such political party committee shall accept from each such person, a contribution or contributions totaling more than one thousand dollars ($1,000) per calendar year for use to support or oppose candidates for elective office.

(b) Except as provided in Section 85418, no political committee shall make to any political party committee which supports or opposes a candidate, and no such political party committee shall accept from each such political committee, a contribution or contributions totaling more than two thousand five hundred dollars ($2,500) per calendar year for use to support or oppose candidates for elective office.

(c) Except as provided in Section 85418, no small-contributor political action committee shall make to any political party committee which supports or opposes a candidate, and no such political party committee shall accept from each such small-contributor political action committee, a contribution or contributions

totaling more than ten thousand dollars ($10,000) per calendar year for use to support or oppose candidates for elective office.

85405. Limitations on Total Contributions to State Candidates from All Non-Individuals

No more than a total of one-third of the applicable expenditure limitations specified in Article 5 of this chapter (commencing with Section 85500) for any primary, general, special, or special runoff election shall be accepted in contributions from all non-individuals in the aggregate by any state candidate and the controlled committee of such candidate. These limitations on total contributions from non-individuals apply whether or not the candidate agrees to accept financing from the Campaign Reform Fund and complies with the expenditure limitations specified in Article 5. Contributions from political party committees are exempt from the limitations of this section.

85406. Limitations on Total Contributions to State Candidates from All Political Party Committees

No more than a total of one-sixth of the applicable expenditure limitations specified in Article 5 of this chapter (commencing with Section 85500) for the general, special, or special runoff election shall be accepted in contributions from all political party committees in the aggregate by any state candidate and the controlled committee of such candidate for a primary and general election combined or for a special election and special runoff election combined.

85407. Limitations on Total Contributions from Persons to All State Candidates

No person shall make to state candidates, or to any committees which support or oppose such candidates, contributions aggregating more than forty thousand dollars ($40,000) in any two-year election cycle. Contributions to and from political party committees shall be exempt from the limitations of this section.

85408. Limitations on Total Contributions from Political Committees to All State Candidates

No political committee shall make to state candidates, or to any committees which support or oppose such candidates, contributions aggregating more than one hundred thousand dollars ($100,000) in any two-year election cycle. Contributions to and from political party committees shall be exempt from the limitations of this section

85409. Limitations on Total Contributions from Small-Contributor Political Action Committees to All State Candidates

No small-contributor political action committee shall make to state candidates, or to any committees which support or oppose such candidates, contributions aggregating more than four hundred thousand dollars ($400,000) in any two-year election cycle. Contributions to and from political party committees shall be exempt from the limitations of this section.

85410. Prohibition on Transfers

(a) Transfers of funds between candidates or their controlled committees are prohibited. Except as provided in Section 85510, no candidate and no committee controlled by a candidate or candidates for elective office shall transfer any contribution to any other candidate for elective office or to any committee supporting or opposing a candidate for elective office.

(b) This section shall not prohibit a candidate from accepting contributions from any political party committee.

(c) This section shall not prohibit a candidate from making a contribution from his or her own personal funds to any other candidate for elective office.

(d) This section shall not prohibit a candidate from transferring contributions to any candidate-controlled committee that is primarily formed to support or oppose a ballot measure and that does not support or oppose any candidate for elective office.

85411. Restriction on Non-Election Year Contributions

(a) Except as provided in Section 85412, no candidate for member of the Legislature or member of the State Board of Equalization (including an incumbent officeholder intending to seek re-election), nor the controlled committee of such a candidate, shall solicit or accept any contribution before October 1 of the odd-numbered year prior to the date of the primary or general election for the specific legislative or Board of Equalization office which the candidate has stated, pursuant to Section 85300, that he or she intends to seek. In the case of a special election or special runoff election, no such candidate or controlled committee of such a candidate shall solicit or accept any contribution more than one hundred and twenty (120) days prior to the date of that election. Only contributions raised in compliance with this subsection may be used by a candidate or the controlled committee of any such candidate to make expenditures in support of or in opposition to any candidate for member of the Legislature or State Board of Equalization.

(b) Except as provided in Section 85412, no candidate for statewide elective office (including an incumbent officeholder intending to seek re-election), nor any controlled committee of such candidate, shall solicit or accept any contribution before October 1 of the even-numbered year two years prior to the date of the primary or general election for the specific statewide elective office which the candidate has stated, pursuant to Section 85300, that he or she intends to seek. Only contributions raised in compliance with this subsection may be used by a candidate or the controlled committee of any such candidate to make expenditures in support of or in opposition to any candidate for statewide elective office.

(c) No legislative caucus committee, as specified in subdivision (d) of Section 85204, shall solicit or accept any contribution before October 1 of any odd-numbered year, except that a legislative caucus committee may solicit or accept a contribution within one hundred and twenty (120) days prior to the date of a special election or special runoff election.

85412. Contributions to Officeholder Expense Account

(a) Upon establishing an officeholder expense account pursuant to Section 85303, a member of the Legislature or State Board of Equalization may solicit and accept contributions for deposit into the officeholder expense account totaling no more than fifteen thousand dollars ($15,000) per calendar year, and a person holding statewide elective office may solicit and accept contributions for deposit into the officeholder expense account totaling no more than thirty thousand dollars ($30,000) per calendar year. Any such contributions shall be used solely to pay for legitimate officeholder expenses associated with holding that specific state office.

(b) Contributions received and deposited into the officeholder expense account pursuant to this section shall be exempt from the restrictions of Section 85411. However, the contribution limitations in Sections 85400 through 85410, inclusive, shall apply to all contributions received pursuant to this section, and all such contributions shall be cumulated with any other contributions received by the candidate and his or her controlled committees from the same source for purposes of those limitations.

(c) No more than a total of thirty thousand dollars ($30,000) in the case of a member of the Assembly, no more than a total of sixty thousand dollars ($60,000) in the case of a member of the Senate or State Board of Equalization, and no more than a total of one hundred and twenty thousand dollars ($120,000) in the case of a person holding statewide elective office shall be deposited into the officeholder expense account during the elected officer's term of office. All contributions received and deposited into the officeholder expense account pursuant to this section shall be cumulated with any surplus campaign funds transferred into the account pursuant to Section 85510(c) (2) for purposes of these limitations.

85413. Return of Contributions

A contribution shall not be considered to be received if it is returned to the donor within fourteen (14) days of receipt and has not been negotiated, deposited, or utilized.

85414. Aggregation of Payments

For purposes of the contribution limitations set forth in this chapter, and in Section 87105, the following aggregation principles shall apply:

(a) All payments made by persons, political committees, or small-contributor political action committees whose contributions or expenditure activity are controlled by a single business entity, labor organization, association, political party or any other person or committee shall be considered to be made by a single person, political committee, or small-contributor political action committee

(b) Two or more entities shall be treated as one entity when any of the following circumstances apply:

(1) The entities share the majority of members of their boards of directors.

(2) The entities share two or more officers.

(3) The entities are owned or controlled by the same majority shareholder or shareholders.

(4) The entities are in a parent-subsidiary relationship.

(c) An individual and any general or limited partnership in which the individual is a controlling partner, or an individual and any corporation in which the individual owns a controlling interest, shall be treated as one person

85415. Loans

(a) A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to the contribution limitations of this chapter.

(b) Every loan to a candidate or the candidate's controlled committee shall be by written agreement, which shall be filed with the candidate's or committee's campaign statement on which the loan is first reported.

(c) The proceeds of a loan made to a candidate by a commercial lending institution in the regular course of business on the same terms available to members of the public and which is secured or guaranteed shall not be subject to the contribution limits of this chapter.

(d) Extensions of credit from a bona fide vendor of services or goods (other than loans pursuant to subdivision (c)) for a period of more than sixty (60) days are subject to the contribution limitations of this chapter

85416. Family Contributions

(a) Contributions by a husband and wife shall be treated as separate contributions.

(b) Contributions by children under 18 shall be treated as contributions by their parents and attributed proportionately to each parent (one-half to each parent or the total amount to a single custodial parent).

85417. Time Periods for Attributing Contributions

(a) For purposes of application of the contribution limitations set forth in this chapter to primary and general elections held for any elective state office in June and November of even-numbered years, contributions made at any time before July 1 of the election year shall be considered primary contributions, and contributions made from July 1 until December 31 of the election year shall be considered general election contributions.

(b) For purposes of application of the contribution limitations set forth in this chapter to special and special runoff elections, contributions made at any time after the office has become vacant and up through the date of the special election shall be considered contributions in the special election, and contributions made after the date of the special election and up through fifty-eight (58) days after the special runoff election shall be considered contributions in the special runoff election.

(c) The Commission shall establish the appropriate time periods for attributing contributions to any elections not covered by subsection (a) or (b).

85418. Communications to Members Not Limited

(a) Nothing in this chapter shall limit the ability of a bona fide political party organization specified in Section 85204(a)–(c) to communicate with its own members by

(1) paying the costs of campaign materials (such as pins, bumper stickers, handbills, brochures, posters, party tabloids, and yard signs) used by such committee in connection with volunteer activities on behalf of nominees of such party, provided that—

(A) such payments must be made from contributions subject to the limitations and prohibitions of this chapter,

(B) such payments are not for the costs of campaign materials or activities used in connection with any broadcasting, newspaper, magazine, billboard, or similar type of general public communication or political advertising, and

(C) such payments are not made from contributions designated by the contributor to be spent on behalf of any particular candidate or candidates, and

(2) paying the costs of get-out-the-vote activities conducted on behalf of nominees of such party, including paying the costs of preparation or distribution of a printed slate card, sample ballot, or other printed listing of 3 or more candidates for any elective office in the state (or of the party's entire slate of candidates in the state election, whichever is less), provided that—

(A) such payments are not for the costs of campaign materials or activities used in connection with any broadcasting, newspaper, magazine, billboard, or similar type of general public communication or political advertising, and

(B) such payments are not made from contributions designated by the contributor to be spent on behalf of any particular candidate or candidates.

(b) Nothing in this chapter shall limit the ability of a bona fide political party organization specified in Section 85204(a)–(c) to pay the costs of voter registration activities, provided that such payments are not made from contributions designated by the contributor to be spent on behalf of any particular candidate or candidates.

(c) Nothing in this chapter shall limit the ability of a bona fide membership organization, union, or corporation from communicating with its own members or shareholders in support of or opposition to any candidate for elective office.

85419. Earmarking of Contributions Prohibited

No person or committee shall make, and no person or committee shall accept, any contribution on the condition or with the agreement that it will be spent on behalf of any particular candidate. The expenditure of funds received by a person or committee shall be made at the sole discretion of the recipient person or committee. Contributions to candidates and committees controlled by such candidates shall be exempt from the prohibition of this section This section shall not prohibit contributions by an intermediary or agent in accordance with Section 84302.

85420. Contributions to Ballot-Measure Committees Not Limited

Nothing in this chapter shall limit a person's ability to contribute to any committee that is primarily formed to support or oppose a ballot measure, whether or not such committee is controlled by a candidate or candidates.

Article 5. Expenditure Limitations

85500 Expenditure Limitations for Gubernatorial Candidates

Except as provided in Section 85511, no candidate for Governor who files a statement of acceptance of financing from the Campaign Reform Fund and any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts:

(a) Four million five hundred thousand dollars ($4,500,000) in a primary election.

(b) Seven million two hundred thousand dollars ($7,200,000) in a general election.

85501. Expenditure Limitations for Other Candidates for Statewide Elective Office

Except as provided in Section 85511, no candidate for Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, or Insurance Commissioner who files a statement of acceptance of financing from the Campaign Reform Fund and any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts:

(a) One million five hundred thousand dollars ($1,500,000) in a primary election.

(b) Two million four hundred thousand dollars ($2,400,000) in a general election.

85502. Expenditure Limitations for Superintendent of Public Instruction Candidates

Except as provided in Section 85511, no candidate for Superintendent of Public Instruction who files a statement of acceptance of financing from the Campaign Reform Fund and any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts.

(a) One million nine hundred and fifty thousand dollars ($1,950,000) in a primary election.

(b) One million nine hundred and fifty thousand dollars ($1,950,000) in a general, special, or runoff election

85503. Expenditure Limitations for State Board of Equalization Candidates

Except as provided in Section 85511, no candidate for member of the State Board of Equalization who files a statement of acceptance of financing from the

Campaign Reform Fund and any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts:

(a) Four hundred and twenty-five thousand dollars ($425,000) in a primary election.

(b) Seven hundred thousand dollars ($700,000) in a general, special, or special runoff election.

85504. Expenditure Limitations for State Senate Candidates

Except as provided in Section 85511, no candidate for member of the Senate who files a statement of acceptance of financing from the Campaign Reform Fund and any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts:

(a) Four hundred and twenty-five thousand dollars ($425,000) in a primary election.

(b) Seven hundred thousand dollars ($700,000) in a general, special, or special runoff election.

85505. Expenditure Limitations for State Assembly Candidates

Except as provided in Section 85511, no candidate for member of the Assembly who files a statement of acceptance of financing from the Campaign Reform Fund and any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts:

(a) Two hundred and fifty thousand dollars ($250,000) in a primary election.

(b) Four hundred thousand dollars ($400,000) in a general, special, or special runoff election

85506. Expenditure Limitations Lifted—Primary Elections

(a) In any primary election, if a candidate who declines to accept payments from the Campaign Reform Fund and the controlled committee of such candidate receives contributions, makes qualified campaign expenditures, or has cash-on-hand in excess of the applicable expenditure limitation set forth in this article, then the expenditure limitation shall no longer be applicable to all other candidates who seek the party nomination for the same seat (or in the case of a primary election for Superintendent of Public Instruction, to all other candidates in that primary election). In addition, the limitation on maximum payments from the Campaign Reform Fund contained in Section 85604 shall no longer be applicable to all other candidates who have agreed to accept payments from the Fund.

(b) In any primary election, if any committee or committees make independent expenditures in support of a candidate totaling more than one-sixth of the applicable expenditure limitation specified in this article for that election, then the expenditure limitation for all other candidates who seek the party nomination for the same seat (or in the case of a primary election for Superintendent of Public Instruction, for all candidates in that primary election) shall be raised by an amount equal to the amount independently spent in support of that candidate. The Commission shall have the responsibility for determining whether independent expenditures have been made in support of a particular candidate or candidates and, if so, the amount by which the expenditure limitation shall be raised pursuant to this section.

(c) In any primary election, if any committee or committees make independent expenditures in opposition to a candidate totaling more than one-sixth of the applicable expenditure limitation specified in this article for that election, then the expenditure limitation for that candidate shall be raised by an amount equal to the amount independently spent in opposition to his or her candidacy.

The Commission shall have the responsibility for determining whether independent expenditures have been made in opposition to a particular candidate or candidates and, if so, the amount by which the expenditure limitation shall be raised pursuant to this section.

85507. Expenditure Limitations Lifted—Non-Primary Elections

(a) In any general, special or special runoff election, if a candidate who declines to accept payments from the Campaign Reform Fund and the controlled committee of such candidate receives contributions, makes qualified campaign expenditures, or has cash-on-hand in excess of the applicable expenditure limitation set forth in this article, then the expenditure limitation shall no longer be applicable to all other candidates running for the same seat in the general, special or special runoff election In addition, the limitation on maximum payments from the Campaign Reform Fund contained in Section 85604 shall no longer be applicable to all other candidates who have agreed to accept payments from the Fund.

(b) In any general, special or special runoff election, if any committee or committees make independent expenditures in support of a candidate totaling more than one-sixth of the applicable expenditure limitation specified in this article for that election, then the expenditure limitation for all other candidates running for the same seat in the general, special, or special runoff election shall be raised by an amount equal to the amount independently spent in support of that candidate The Commission shall have the responsibility for determining whether independent expenditures have been made in support of a particular candidate or candidates and, if so, the amount by which the expenditure limitation shall be raised pursuant to this section.

(c) In any general, special, or special runoff election, if any committee or committees make independent expenditures in opposition to a candidate totaling more than one-sixth of the applicable expenditure limitation specified in this article for that election, then the expenditure limitation for that candidate shall be raised by an amount equal to the amount independently spent in opposition to his or her candidacy The Commission shall have the responsibility for determining whether independent expenditures have been made in opposition to a particular candidate or candidates and, if so, the amount by which the expenditure limitation shall be raised pursuant to this section

85508. Notification by Candidate Who Exceeds Expenditure Limitations

A candidate who has declined to accept payments from the Campaign Reform Fund and receives contributions, makes qualified campaign expenditures, or has cash-on-hand in excess of the applicable expenditure limitations shall notify all opponents and the Commission by telephone and by confirming overnight delivery the day the limitations are exceeded.

85509. Cumulation of Expenditures for Multiple Campaigns on Same Election Date

If an individual who has filed a statement of intention pursuant to Section 85300 to be a candidate for a specific state elective office subsequently withdraws from that campaign and files a statement of intention pursuant to Section 85300 to be a candidate for a different state elective office whose election is to be held on the same date, the Commission shall determine what portion, if any, of the expenditures made by the candidate and his or her controlled committee in the first campaign should be considered as, and cumulated with, qualified campaign expenditures in the subsequent campaign for purposes of determining compliance with the expenditure limitations set forth in this chapter. In making the

determination called for in this section, the Commission shall consider what portion, if any, of the payments made in connection with the first campaign may reasonably be said to have assisted the candidate in influencing or attempting to influence the actions of the voters for or against the candidate in the latter campaign.

85510. Surplus and Carryover Funds

(a) Any campaign funds remaining in a state candidate's campaign contribution account at the end of the postelection reporting period following an election, and after all obligations are met by the candidate and his or her committee, shall be considered surplus campaign funds and shall be distributed only in accordance with this section.

(b) Following the primary or special election, surplus funds shall be distributed as follows:

(1) A candidate who has won his or her party's nomination for the ensuing general or special runoff election (or in the case of a candidate for Superintendent of Public Instruction, who has won the right to be a candidate in the ensuing general election) may carry over any surplus funds for use by such candidate in the general or special runoff election, if any. Expenditures made with carryover funds shall be considered qualified campaign expenditures for the time period in which they are expended pursuant to Section 85512.

(2) A candidate who has not won his or her party's nomination (or in the case of a candidate for Superintendent of Public Instruction, who has not won the right to be a candidate in the ensuing general election) shall distribute any surplus funds according to the requirements of subsections (c) (1) and (c) (3)

(c) Following the general or special runoff election (or, where no runoff election is held, following the special election), surplus funds shall be distributed within one year from the date of the election as follows.

(1) All public funds received by the candidate during the campaign pursuant to Section 85603 shall be repaid to the Campaign Reform Fund as a matter of first priority from any such surplus funds remaining until all such public funds previously received by that candidate have been so repaid.

(2) If any surplus funds remain following compliance with subsection (c) (1), a candidate who has been elected to state office may transfer the remaining funds, subject to the limitations of Section 85412(c), from his or her campaign contribution account into an officeholder expense account established pursuant to Section 85303.

(3) Any remaining surplus funds shall either be returned to contributors through a formula or formulas specified by the Commission, donated to the Campaign Reform Fund, contributed to a political party committee, or donated to any bona fide charitable, educational, civic, religious, or similar tax-exempt organization, where no substantial part of the proceeds will have a material financial effect on the former elected official or any member of his or her immediate family. Any surplus funds contributed to a political party committee pursuant to this section shall be exempt from the contribution limitations of Section 85404.

85511 Expenditures from Officeholder Expense Account

Any expenditures for legitimate officeholder expenses made by a candidate for elective state office from his or her officeholder expense account established pursuant to Section 85303 shall be exempt from the expenditure limitations of this chapter

85512. Time Periods for Attributing Election Expenditures

(a) For purposes of application of the expenditure limitations set forth in this chapter to primary and general elections held for any state office in June and November of even-numbered years, qualified campaign expenditures made at any time before July 1 of the election year shall be considered primary election expenditures, and qualified campaign expenditures made from July 1 until December 31 of the election year shall be considered general election expenditures

(b) For purposes of application of the expenditure limitations set forth in this chapter to special and special runoff elections, qualified campaign expenditures made at any time after the office has become vacant and up through the date of the special election shall be considered expenditures in the special election, and qualified campaign expenditures made after the date of the special election and up through fifty-eight (58) days after the special runoff election shall be considered expenditures in the special runoff election.

(c) Notwithstanding subsections (a) and (b), in the event that payments are made but the goods or services are not used during the period purchased, the payments shall be considered qualified campaign expenditures for the time period when the goods or services are used.

85513. Slate Mailers

The Commission shall promulgate regulations governing the application of the limitations in this chapter to slate mailers, as defined in Section 82048.3. The regulations shall set forth the circumstances, if any, under which the expenses incurred in preparing and distributing slate mailers shall be considered contributions, qualified campaign expenditures, or independent expenditures subject to the limitations of this chapter.

Article 6. Campaign Reform Fund

85600 Candidate Acceptance or Rejection of Funds

(a) Each candidate for elective state office, at the time of filing his or her Declaration of Candidacy pursuant to Section 6490 of the Elections Code, shall file a statement of acceptance or rejection of financing from the Campaign Reform Fund. If a candidate agrees to accept financing from the Campaign Reform Fund, the candidate shall comply with the provisions of Article 5 of this chapter

(b) A candidate who agrees or declines to accept financing from the Campaign Reform Fund may not change that decision, except that a candidate who declines to accept financing from the Campaign Reform Fund in a primary or special election may agree to accept financing from the Campaign Reform Fund in the ensuing general or special runoff election, but only if such candidate did not exceed the applicable expenditure limitation set forth in Article 5 of this chapter during the primary or special election. For primary and general elections held in June and November of even-numbered years, a candidate wishing to change his or her decision and accept financing from the Campaign Reform Fund in the general election must file a statement of acceptance of financing no later than July 1 For elections held on any other date, the Commission shall determine the date by which any candidate wishing to change his or her decision and accept financing from the Campaign Reform Fund must file a statement of acceptance of financing

(c) No candidate shall be eligible to receive any payment from the Campaign Reform Fund prior to filing a Declaration of Candidacy and statement of acceptance of financing from the Campaign Reform Fund pursuant to this section.

85601. Qualification Requirements

In order to qualify to receive payments from the Campaign Reform Fund, a candidate for elective state office shall meet all of the following requirements:

(a) The candidate has received contributions (other than contributions from the candidate or his or her immediate family) of at least thirty thousand dollars ($30,000) in the case of a candidate for member of the Assembly, of at least fifty thousand dollars ($50,000) in the case of a candidate for member of the Senate or State Board of Equalization, of at least one hundred and fifty thousand dollars ($150,000) in the case of a candidate for Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, or Insurance Commissioner, or of at least four hundred and fifty thousand dollars ($450,000) in the case of a candidate for Governor. Only the first one thousand dollars ($1,000) of any and all contributions received from a single donor shall be counted in determining whether the above thresholds have been met Only contributions received after the date specified in Section 85411(a) may be counted in meeting the above thresholds, and in no event shall any contribution deposited into an officeholder expense account pursuant to Section 85412 be counted toward meeting the thresholds. For purposes of this subsection, a loan, a pledge, or a non-monetary contribution shall not be considered a contribution

(b) The candidate is opposed by a candidate running for the same nomination (if in the primary election) or for the same office (if in a general, special, or special runoff election) who either (1) has qualified for payments from the Campaign Reform Fund or (2) has raised, spent or has cash-on-hand of at least forty-five thousand dollars ($45,000) in the case of a candidate for the Assembly, of at least seventy-five thousand dollars ($75,000) in the case of a candidate for the Senate or State Board of Equalization, of at least two hundred and twenty-five thousand dollars ($225,000) in the case of a candidate for Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, or Insurance Commissioner, or of at least six hundred and seventy-five thousand dollars ($675,000) in the case of a candidate for Governor. All funds raised, spent, or on hand in all committees controlled by a single opposing candidate (excluding any officeholder expense account established by an incumbent elected officer pursuant to Section 85303 and any committee primarily formed to support or oppose a ballot measure) shall be cumulated for purposes of this subsection

(c) The candidate contributes to his or her own campaign from personal funds no more than fifty thousand dollars ($50,000) per election in the case of a candidate for the Legislature or State Board of Equalization, no more than one hundred thousand dollars ($100,000) per election in the case of a candidate for Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, or Insurance Commissioner, and no more than two hundred and fifty thousand dollars ($250,000) per election in the case of a candidate for Governor

(d) No donor whose contribution to a candidate for elective state office was counted toward achieving the applicable threshold in subsection (a) shall be the recipient or beneficiary of any payment or expenditure made by that candidate

or his or her controlled committees unless full and adequate consideration is received by the candidate or his or her controlled committee in exchange for any such payment or expenditure.

85602. Candidate Notification Upon Reaching Qualification Threshold

A candidate for elective state office who does not agree to accept financing from the Campaign Reform Fund shall notify all opponents and the Commission by telephone and by confirming overnight delivery on the day such a candidate raises, spends, or has cash-on-hand in excess of the applicable opponent's threshold amount set forth in Section 85601(b)(2).

85603. Campaign Reform Fund Formula

(a) A candidate for elective state office who is eligible to receive payments from the Campaign Reform Fund shall receive payments on the basis of the following alternative formulae:

(1) For the first two hundred and fifty dollars ($250) of a monetary contribution or contributions (other than a contribution from the candidate or his or her immediate family) from any single individual, a matching ratio of one dollar ($1) from the Campaign Reform Fund for each dollar received.

(2) For the first two hundred and fifty dollars ($250) of a monetary contribution or contributions (other than a contribution from the candidate or his or her immediate family) from any single individual who is domiciled in the candidate's electoral district, a matching ratio of three dollars ($3) from the Campaign Reform Fund for each dollar received.

(b) For purposes of this section, a loan, a pledge or a non-monetary payment shall not be considered a contribution.

(c) Only contributions received after the date specified in Section 85411(a) shall be eligible for matching payments from the Campaign Reform Fund pursuant to this section, and in no event shall any contribution deposited into an officeholder expense account pursuant to Section 85412 be eligible for such matching payments.

85604 Maximum Funds Available to Each Candidate

Except as provided in Sections 85506(a) and 85507(a), no candidate shall receive payments from the Campaign Reform Fund totaling more than one-half of the applicable expenditure limitation specified in Article 5 of this chapter (commencing with Section 85500) for his or her election.

85605. Maximum Funds Available to All Candidates

(a) At the close of the period for filing Declarations of Candidacy pursuant to Section 6490 of the Elections Code for the statewide primary election held in each even-numbered year, the Commission, in consultation with the Controller, shall determine the total amount of money residing in the Campaign Reform Fund as of that date No more than one-half (1/2) of the total amount of money residing in the Fund as of that date shall be made available for disbursement to qualifying candidates in the ensuing primary election.

(b) For primary elections held in each even-numbered year that is not evenly divisible by the whole number four, no more than three-fifths (3/5) of the money that has been made available for the primary election pursuant to subsection (a) shall be available for disbursement to qualifying statewide candidates or candidates for the State Board of Equalization.

(c) The Controller shall disburse money from the Campaign Reform Fund to qualifying candidates on a first-come, first-served basis, as determined by the Commission. In no event, however, shall the Controller disburse any more money to qualifying candidates in the primary election than the amounts determined to

be available pursuant to subdivisions (a) and (b) of this section. No payments of public matching funds to qualifying candidates shall be made from any source other than the Campaign Reform Fund.

(d) Commencing one week after the date specified in subdivision (a), and continuing until the date of the ensuing statewide general election, the Commission, in consultation with the Controller, shall issue bi-weekly reports on the financial status of the Campaign Reform Fund. Such reports shall include an accounting of how much money remains available in the Fund for distribution to qualifying candidates, how many candidates have declared their intention to accept financing and have qualified for financing from the Fund, the comparable data regarding eligible candidates and available funds at similar stages of prior elections, and any other information that would assist candidates in estimating whether sufficient funds are likely to be available in the Campaign Reform Fund to satisfy the full entitlements of qualifying candidates. The Controller shall provide the Commission with any information necessary for the Commission to fulfill its responsibilities under this section.

85606. Candidate Request for Payment

The Commission shall determine the information to be submitted by a candidate in order to qualify for payment from the Campaign Reform Fund. A candidate may not request less than ten thousand dollars ($10,000) in payments at any one time from the Campaign Reform Fund, provided, however, that in the 30 days preceding an election, a candidate may not request less than two thousand five hundred dollars ($2,500) in such payments.

85607. Timing of Payments to Candidates

The Controller shall make payments from the Campaign Reform Fund in the amount certified by the Commission Payments shall be made no later than 10 business days after receipt of the request from the candidate, provided, however, that in the last 30 days preceding an election, payments shall be made no later than 5 business days after receipt of the request.

Article 7 Independent Expenditures

85700. Identification of Sponsor of Independent Expenditures

(a) Any person who makes independent expenditures exceeding five hundred dollars ($500) for any mass mailing, printed material, outdoor advertising, radio or television broadcast, or any other form of political advertisement which supports or opposes any candidate for elective office shall include in such communication a notice identifying the true name of the person or persons paying for the communication and stating that the communication has not been authorized by any candidate or approved by any election official.

(b) The Commission shall promulgate regulations to implement the requirements of subsection (a) for each medium of communication. The Commission's regulations shall ensure that the notice required by this section is prominently displayed or broadcast so as to be clearly legible, audible, or visible by its intended audience, and that sufficient identifying information is included to permit the audience to ascertain the true source of payment for the communication. In the case of a television broadcast, the Commission's regulations shall ensure that the notice required by this section shall be both visible and audible

85701. Contribution Limitations

No person, political committee, or small-contributor political action committee which makes independent expenditures supporting or opposing a candidate for elective office shall accept any contribution in excess of the amounts set forth in Sections 85401(b), 85402(b) and 85403(b).

85702. Limitations on Persons Who Make Independent Expenditures and Contributions to Candidates

(a) Any person, political committee, or small-contributor political action committee which makes a contribution of five hundred dollars ($500) or more to a candidate for elective office shall be considered to be acting in concert with that candidate and shall not make independent expenditures and contributions which in combination exceed the amounts set forth in Sections 85401 through 85403 in support of that candidate or in opposition to that candidate's opponent or opponents.

(b) No committee which makes independent expenditures supporting or opposing a candidate for elective office shall have as officers individuals who serve as officers on any other committee which makes contributions supporting or opposing the same candidate. No such committee shall act in concert with, or solicit or make contributions on behalf of, any other committee which supports or opposes the same candidate This subsection shall not apply to treasurers of committees if these treasurers do not participate in or control in any way a decision on which candidate or candidates receive contributions.

85703 Reproduction of Materials

Any person who, for the purpose of supporting or opposing candidates for elective office, reproduces, broadcasts or distributes any material which is drafted, printed, prepared or previously broadcast by a candidate or a committee controlled by such a candidate shall report such an expenditure as a non-monetary contribution to such candidate or committee

85704. Notice of Independent Expenditures

Any person, political committee, or small-contributor political action committee which makes independent expenditures totaling more than twenty-five thousand dollars ($25,000) in support of or in opposition to any candidate for state elective office shall notify the Commission and all candidates in that election by telephone and confirming letter by overnight delivery 1) when the first twenty-five thousand dollars ($25,000) is expended, 2) when any of the applicable threshold amounts set forth in Sections 85506(b) and (c) and 85507(b) and (c) is exceeded, and 3) each time thereafter that a cumulative additional ten thousand dollars ($10,000) is expended.

Article 9. Agency Responsibilities

85900. Duties of the Fair Political Practices Commission

The Fair Political Practices Commission, in addition to its responsibilities set forth in Sections 83100 et seq. and elsewhere in this chapter, shall also.

(a) Commencing on January 1, 1994, adjust the expenditure limitations, contribution limitations, and public financing provisions (excluding the state income tax check-off amount) in January of every even-numbered year to reflect any increase or decrease since January 1, 1991, in the state appropriation limitation in the manner specified in Sections 1 and 8 of Article XIIIB of the state Constitution. Such adjustments shall be rounded off to the nearest hundred for the limitations on contributions, the nearest five thousand for the limitations on expenditures and public financing qualification and limitations provisions, and nearest fifty dollars for the Campaign Reform Fund matching limit.

(b) Prescribe the necessary forms for implementing the requirements of this chapter, including any additions to or modification of the contents of campaign statements as specified in Section 84211 that will assist the Commission and the public in monitoring compliance with the requirements of this chapter.

(c) Prescribe and implement procedures for verifying requests for payment from the Campaign Reform Fund.

(d) In coordination with other governmental agencies and private nonprofit organizations, publicize the availability of the voluntary tax check-off under Revenue and Taxation Code Section 18775 through the use of public service announcements (PSAs), notifications to tax preparers, and other means designed to increase taxpayers' awareness of their ability to designate funds for deposit into the Campaign Reform Fund.

(e) Prepare and release studies on the impact of this title. These studies shall include recommendations for legislative action which would further the purposes of this title.

85901. Duties of the Franchise Tax Board

The Franchise Tax Board shall audit candidates who received payments from the Campaign Reform Fund in accordance with the procedures set forth in Sections 90000 et seq.

SECTION 28. Section 82024 of the Government Code is amended to read:

82024. *Elective State Office*

"Elective state office" means the office of Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, *Insurance Commissioner,* member of the Legislature and member of the State Board of Equalization.

SECTION 29. Section 82053 of the Government Code is amended to read:

82053. *Statewide Elective Office*

"Statewide elective office" means the office of Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Treasurer, ~~and~~ Superintendent of Public Instruction *and Insurance Commissioner*.

SECTION 30. Chapter 18.6 (commencing with Section 18775) is added to Part 10 of Division 2 of the Revenue and Taxation Code, to read:

CHAPTER 18.6 CAMPAIGN REFORM FUND DESIGNATION

18775. Tax Checkoff

(a) The Campaign Reform Fund is hereby created Every individual whose income tax liability for any taxable year is five dollars ($5) or more may designate five dollars ($5) of that tax liability to be deposited into the Campaign Reform Fund In the case of a joint return of husband and wife having an income tax liability of ten dollars ($10) or more, each spouse may designate that five dollars ($5) of that tax liability shall be paid to the Fund. Taxpayer designations of funds shall not increase that taxpayer's tax liability In the event that payments and credits reported on the return, together with any other credits associated with the taxpayer's account, do not at least equal the taxpayer's liability, returns shall be treated as though no designation has been made. Notwithstanding Government Code Section 16305.7, interest earned on all assets and funds constituting a part of the Campaign Reform Fund shall be credited to the Fund as received.

(b) Money in the Campaign Reform Fund shall be available for distribution in accordance with the provisions of Chapter 5 of Title 9, commencing with Section 85100 of the Government Code. All funds transferred into the Campaign Reform Fund pursuant to this section and Section 18776 are hereby continuously appropriated without regard to fiscal years for distribution in accordance with the purposes set forth in this chapter and in Chapter 5 of Title 9 of the Government Code

(c) The Franchise Tax Board shall place on the top third of the first page of all personal tax returns required to be filed on or after January 1, 1991, the following language:

	Do you want $5 of the taxes you are already paying to go to this Fund?
CAMPAIGN	*[ ] YES [ ] NO*
REFORM	*If joint return, does your spouse*
FUND	*want $5 to go to this Fund?*
	[ ] YES [ ] NO
	NOTE: Checking "YES" will not increase the taxes you pay or reduce your refund

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(d) The Franchise Tax Board shall notify the Controller of the amount of money designated pursuant to this section to be transferred to the Campaign Reform Fund as the income tax returns are received by the Franchise Tax Board from the taxpayers. The Controller shall then transfer from the Personal Income Tax Fund to the Campaign Reform Fund an amount equal to the sum of the amounts designated by individuals pursuant to this section.

18776. Appropriation to Campaign Reform Fund

Commencing July 1, 1991, and every July 1 thereafter, there is hereby appropriated from the General Fund the sum of $5,000,000, adjusted annually in the same manner as the state appropriation limitation is adjusted under Sections 1 and 8 of Article XIIIB of the state Constitution, for deposit into the Campaign Reform Fund, an amount which represents the estimated annual savings from repeal of the credit claimed and allowed taxpayers under former Section 17053.14 of the Revenue and Taxation Code.

18777 Adjustment of Campaign Reform Fund Revenues

(a) On January 1, 1995, and on January 1 of every fourth year thereafter, the Commission shall determine, on the basis of an analysis of historical data and projections of future demands, whether there are likely to be sufficient funds available in the Campaign Reform Fund to provide matching funds pursuant to Article 6 (commencing with Section 85600) of Chapter 5 of the Government Code to satisfy the full entitlements of all qualifying candidates for state elective office in the next statewide general election

(b) If the Commission determines that the available funds are likely to be inadequate to fulfill the purposes of Chapter 5 (commencing with Section 85100) of the Government Code, it shall direct that the maximum amount of tax liability which may be designated by taxpayers on their income tax returns for deposit into the Campaign Reform Fund pursuant to Section 18775 be increased by no more than one dollar ($1) beginning with the tax year for the odd-numbered year following the year of the most recent statewide general election. In no event, however, shall the maximum tax liability which may be designated for deposit into the Fund under Section 18775 exceed ten dollars ($10) per taxpayer.

(c) If the Commission determines that the available funds are likely to be more than adequate to satisfy the full entitlements of all qualifying candidates for state elective office in the next statewide general election, it shall direct that the maximum amount of tax liability which may be designated by taxpayers on their income tax returns for deposit into the Campaign Reform Fund pursuant to Section 18775 be decreased by no more than one dollar ($1) beginning with the

tax year for the odd-numbered year following the year of the most recent statewide general election. In no event, however, shall the maximum tax liability which may be designated for deposit into the Fund under Section 18775 be less than one dollar ($1) per taxpayer.

SECTION 31. Section 17053.14 of the Revenue and Taxation Code is repealed.

~~17053.14. (a) There shall be allowed as a credit against "net tax" (as defined by Section 17039) an amount equal to 25 percent of the amount of political contributions made by an individual during the taxable year, including contributions which are designated pursuant to Section 18720 but not amounts deductible under Section 17283.~~

~~(b) The amount of the credit under this section shall not exceed for any taxable year the following:~~

~~(1) Fifty dollars ($50) for married couples filing joint returns, heads of households, and surviving spouses (as defined in Section 17046).~~

~~(2) Twenty-five dollars ($25) for all other individuals.~~

~~(c) In the case where the credit allowed under this section exceeds the net tax for the taxable year, that portion of the credit which exceeds the net tax may be carried over to the net tax in succeeding taxable years until the credit is used. The credit shall apply to the earliest taxable years possible.~~

~~(d) This section shall remain in effect only until January 1, 1992, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1992, deletes or extends that date.~~

SECTION 32. Section 83122.5 is added to the Government Code, to read:

83122.5 Appropriation to Fair Political Practices Commission

Commencing January 1, 1991, there is hereby appropriated from the General Fund to the Fair Political Practices Commission an amount equal to the sum of the appropriation to the Commission in fiscal year 1989-90 for the implementation, administration, and enforcement of Propositions 68 and 73 plus seven hundred and fifty thousand dollars ($750,000), adjusted for cost of living changes, during each fiscal year, for expenditures to support the operations of the Commission to carry out its implementation and enforcement responsibilities pursuant to the Campaign Finance Reform Act of 1990. The expenditure of funds under this appropriation shall be subject to the normal administrative review given to other state appropriations. The Legislature shall appropriate additional amounts to the Commission and other agencies as may be necessary to carry out the provisions of this title.

SECTION 33. Section 91000 of the Government Code is amended to read:

91000. Violations; : Criminal

(a) Any *knowing or willful* violation of Chapter 5 of this title commencing with Section 85100 is a public offense punishable by imprisonment in a state prison or in a county jail for a period not exceeding one year.

(b) Any *knowing or willful* violation of any other section of this title is a misdemeanor

(c) In addition to other penalties provided by law, a fine of up to the greater of ten thousand dollars ($10,000) or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received may be imposed upon conviction of each violation.

(d) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

SECTION 34. Section 91005 of the Government Code is amended to read:

91005. *Civil Liability for Violations*

(a) Any person who makes or receives a contribution, gift or expenditure in violation of Section 84300, 84304, *85303, 85400–85412, 85500–85505, 85510, 85600–85601, 85603, 85605, 85700–85704,* 86202, 86203, or 86204, or Article 8 (commencing with Section 85800) of Chapter 5 is liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount up to ~~five hundred dollars ($500)~~ *one thousand dollars ($1,000)* or three times the amount of the unlawful contribution, gift or expenditure, whichever is greater.

(b) Any designated employee or public official specified in Section 87200, ~~other than an elected state officer,~~ who realizes an economic benefit as a result of a violation of Section 87100 or of a disqualification provision of a Conflict of Interest Code is liable in a civil action brought by the civil prosecutor or by a person residing within the jurisdiction for an amount up to three times the value of the benefit.

SECTION 35. Section 83116 of the Government Code is amended to read:

83116. Violation of Title

When the Commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if such a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Government Code, Title 2, Division 3, Part ~~1~~ *1*, Chapter 5, Sections 11500 et seq.) The Commission shall have all the powers granted by that chapter.

When the Commission determines on the basis of the hearing that a violation has occurred, it shall issue an order which may require the violator to:

(a) Cease and desist violation of this title;

(b) File any reports, statements or other documents or information required by this title; and

(c) Pay a monetary penalty of up to ~~two~~ *five* thousand dollars ~~($2,000)~~ *($5,000)* for each violation to the ~~General Fund of the state~~ *Campaign Reform Fund established pursuant to Chapter 18.6 (commencing with Section 18775) of Part 10 of Division 2 of the Revenue and Taxation Code*.

When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

TITLE X.
OPEN MEETINGS

SECTION 36. Article IV, Section 7 of the State Constitution, as amended by Proposition 112 at the June 5, 1990 Primary Election, is further amended to read:

SEC. 7. (a) Each house shall choose its officers and adopt rules for its proceedings. A majority of the membership constitutes a quorum, but a smaller number may recess from day to day and compel the attendance of absent members.

(b) Each house shall keep and publish a journal of its proceedings. The rollcall vote of the members on a question shall be taken and entered in the journal at the request of 3 members present.

(c) (1) The proceedings of each house and the committees thereof shall be open and public. However, closed sessions may be held solely for any of the following purposes:

(A) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider or hear complaints or

charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of ~~an~~ *any* employee of the Legislature.

(B) To consider matters affecting the safety and security of Members of the Legislature or its employees or the safety and security of any buildings and grounds used by the Legislature.

(C) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated, or whether to initiate, litigation when discussion in open session would not protect the interests of the house or committee regarding the litigation.

(2) A caucus of the Members of the Senate, the Members of the Assembly, or the Members of both houses, which is composed of ~~the~~ *all* members of the same political party, may meet in closed session.

(3) The Legislature shall implement this subdivision by concurrent resolution adopted by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, or by statute, and shall prescribe that, when a closed session is held pursuant to paragraph (1), reasonable notice of the closed session and the purpose of the closed session shall be provided to the public. If there is a conflict between a concurrent resolution and statute, the last adopted or enacted shall prevail.

(d) Neither house without the consent of the other may recess for more than 10 days or to any other place.

TITLE XI.
GENERAL PROVISIONS

SECTION 37. Amendments

(a) The provisions of Section 81012 of the Government Code governing legislative amendments to the Political Reform Act of 1974 shall apply to the provisions of this measure.

(b) It is the will of the people that Sections 9 through 24 of this measure should be interpreted to harmonize with and not to supercede any provision of any law enacted in calendar year 1990, including any provision of any other measure passed at the same election as this act, that imposes more stringent restrictions on the activities or interests of elected officers that might conflict with the proper discharge of their duties and responsibilities.

SECTION 38. Construction

This measure shall be liberally construed to accomplish its purposes.

SECTION 39. Severability Clause

If any provision of this measure or the application thereof to any person or circumstances is held invalid, the remainder of this measure, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those as to which it was held invalid, shall not be affected thereby, and to this end, the provisions of this measure are severable.

SECTION 40. Effective Date

The provisions of this measure shall go into effect January 1, 1991, except that Sections 30 through 33 shall go into effect immediately.

Number on ballot

134. **Alcohol Surtax.**

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED LAW

THE ALCOHOL TAX ACT OF 1990

SECTION 1. This measure shall be known and may be cited as the Alcohol Tax Act of 1990.

SECTION 2. The people find and declare as follows:

(a) Alcohol use drains California of approximately $13.6 billion annually in increased health care costs, higher crime rates, lost productivity, environmental damage, and injuries from alcohol-related accidents and abuse.

(b) Alcohol-related accidents are the leading cause of death among teenagers and the cause of many permanently disabling injuries.

(c) There is a strong correlation between alcohol and other drug use.

(d) Meeting the need and demand for alcohol and other drug treatment and recovery programs is an increasingly expensive burden to all California taxpayers.

(e) The use of alcohol and other drugs is a major cause of hospital emergency room and trauma care treatment, and therefore greatly contributes to the need for emergency medical air-transportation services.

(f) The use of alcohol and other drugs is closely associated with mental illness and contributes enormously to the cost of treating the mentally ill

(g) The use of alcohol and other drugs contributes significantly to vandalism, litter, and unruly and criminal behavior in California's parks and recreation facilities.

(h) The use of alcohol and other drugs is a major factor in the majority of child and spousal abuse cases, and is also frequently associated with abuse of elderly, mentally-ill and mentally-retarded residents of long-term care facilities.

(i) Alcohol use during pregnancy causes approximately 5,000 children to be born in California each year with alcohol-related birth defects; and other drug use during pregnancy, especially cocaine, affects thousands of babies born each year.

(j) Drinking and driving, and driving under the influence of other drugs, is the major cause of traffic accidents and fatalities in California each year

(k) Alcohol and other drug-related crimes are an increasing burden to law enforcement and the criminal justice system in California.

(l) While the staggering cost of alcohol abuse is borne by all Californians, 67 percent of the alcohol is consumed by only 11 percent of the population.

(m) An increase in the excise tax levied on alcoholic beverages equivalent to a five cents ($0.05) per drink is a fair and appropriate way to reduce alcohol's staggering burden on all California taxpayers.

SECTION 3. Section 7 is added to Article XIII A of the Constitution, to read:

SECTION 7. Section 3 does not apply to the Alcohol Tax of 1990.

SECTION 4. Section 13 is added to Article XIII B of the Constitution, to read:

SECTION 13. "Appropriations subject to limitation" of each entity of government shall not include appropriations of revenue from the Alcohol Surtax Fund created by the Alcohol Tax Act of 1990. No adjustment in the appropriations limit of any entity of government shall be required pursuant to Section 3 as a result of revenue being deposited in or appropriated from the Alcohol Surtax Fund created by the Alcohol Tax Act of 1990

SECTION 5. Chapter 5.5 (commencing with Section 32220) is added to Part 14 of Division 2 of the Revenue and Taxation Code, to read:

CHAPTER 5.5. SURTAX ON BEER, WINE AND DISTILLED SPIRITS

Article 1. Definitions

Section 32220. For purposes of this chapter:

(a) "Fund" means the Alcohol Surtax Fund created by Section 32221.

(b) "Unit" means the appropriate measure of any of the following:

(1) Twelve ounces of beer

(2) Five ounces of all wine, except those in subdivision (3).

(3) Three ounces of fortified wine.

(4) One ounce of distilled spirits.

(c) "Fortified wine" means any wine which (i) contains alcohol in an amount equal to or more than 14 percent by volume when bottled or packaged by the manufacturer, (ii) is not both sealed and capped by cork closure, and aged two or more years, (iii) does not contain 14 or more percent of alcohol by volume solely as a result of the natural fermentation process, and (iv) has been produced with the addition of wine spirits, brandy, or alcohol.

(d) "Other drugs" means all addictive or controlled substances other than alcoholic beverages, as defined by Section 23004 of the Business and Professions Code, and cigarettes and tobacco products, as defined in Section 30121 of the Revenue and Taxation Code, as both sections read on January 1, 1990

Article 2 Alcohol Surtax Fund

Section 32221. The Alcohol Surtax Fund is hereby created in the State Treasury. The fund shall consist of all revenues raised pursuant to the taxes imposed by this chapter, and all interest and penalties imposed thereon pursuant to this part Earnings derived from investment of moneys in the fund shall accrue to the fund. Notwithstanding Section 13340 of the Government Code, moneys in the fund shall be continuously appropriated, without regard to fiscal year, for the purposes of this chapter.

Section 32222. The fund consists of five separate accounts, as follows.

(a) The Prevention, Treatment and Recovery Account, funds from which shall only be expended for the following.

(1) Prevention of alcohol and other drug problems.

(2) Treatment and recovery services for alcohol and other drug problems.

(3) A coordinated statewide and local training, public policy and public awareness program to prevent alcohol and other drug problems, and to inform the public, particularly children and teenagers, of the potential health risks of alcohol and other drug use.

(4) Capital expenditures (including accessibility improvements for the disabled) for housing, treatment and recovery facilities, domestic violence shelters, and homeless and low-income facilities for persons recovering from alcohol- and other drug-related problems.

(b) The Emergency and Trauma Care Account, funds from which shall only be expended for the following.

(1) Emergency medical and trauma care treatment and all related services.

(2) Emergency medical and trauma care services, up to the time the patient is stabilized, provided by physicians in general acute care hospitals that provide basic or comprehensive emergency services.

(c) The Mental Health Account, funds from which shall only be expended for locally-implemented community mental health programs.

(d) The Infants, Children and Innocent Victims Account, funds from which shall only be expended for the following:

(1) Prevention, treatment, and care regarding the health needs of infants, children and women due to perinatal alcohol and other drug use.

(2) Prevention, treatment, and care regarding child abuse and child abuse victims.

(3) Shelter, support services, and prevention programs whose primary purpose is to serve battered women and their children.

(4) Training, education, public policy, research, and related support services for persons with disabilities.

(e) The Law Enforcement Account, funds from which shall only be expended for the following:

(1) Enforcement of laws prohibiting driving under the influence of an alcoholic beverage or any other drug, or the combined influence of an alcoholic beverage and any other drug, and related criminal justice and penal system costs and services.

(2) Enforcement of alcohol- and other drug-related laws, and related criminal justice and penal system costs and services

(3) Recreation and park programs and projects that address alcohol and other drug impacts on public parks and facilities, including impacts on public safety, litter, vandalism, youth-at-risk, and other prevention and diversion activities

(4) Operation and administration of a statewide emergency medical air-transportation network.

(5) Enforcement, education, and training relative to laws prohibiting driving under the influence of an alcoholic beverage or any other drug, or the combined influence of an alcoholic beverage and any other drug.

Article 3. Imposition of the Surtax on Beer, Wine and Distilled Spirits

Section 32225. A surtax at the rate of five cents ($0.05) per unit, and at a proportionate rate for any other quantity, is imposed upon every unit of beer and wine sold in this state or sold pursuant to Section 23384 of the Business and Professions Code, by a manufacturer, wine grower, or importer, or seller of beer or wine selling beer or wine with respect to which no tax has been paid within areas over which the United States Government exercises jurisdiction

Section 32226. A surtax at the rate of five cents ($0.05) per unit, and at a proportionate rate for any other quantity, is imposed upon every unit of distilled spirits sold in this state or sold pursuant to Section 23384 of the Business and Professions Code, by a manufacturer, distilled spirits manufacturer's agent, brandy manufacturer, rectifier, and wholesaler, or seller of distilled spirits selling distilled spirits with respect to which no tax has been paid within areas over which the United States Government exercises jurisdiction

Section 32227. Except with respect to beer and wine in the internal revenue bonded premises of a beer manufacturer or wine grower, and except with respect to those distilled spirits in possession or control of a distilled spirits taxpayer as defined by Section 23010 of the Business and Professions Code, upon which the taxes imposed by Section 32226 have not been paid, a floor stock tax of five cents ($0.05) is hereby imposed on every unit of beer, wine and distilled spirits in the possession or under the control of every person licensed under Division 9 (commencing with Section 23000) of the Business and Professions Code on or after 2:01 a.m. on January 1, 1991, pursuant to rules and regulations promulgated by the State Board of Equalization. This floor stock tax shall be due and payable on February 15, 1991

Section 32228. The taxes imposed by this article shall be imposed in addition to any other tax imposed upon beer, wine or distilled spirits by this part, and shall be in addition to any other tax imposed upon beer, wine or distilled spirits by the voters at the November 6, 1990, election.

Section 32229. All the provisions of this part, with the exception of those contained in Chapter 10 (commencing with Section 32501), relating to excise taxes, are applicable also to the taxes imposed by this Article, to the extent that they are not inconsistent with this Article.

Article 4. Disposition of the Alcohol Surtax Fund

Section 32230. (a) With the exception of payments of refunds made pursuant to Chapter 8 (commencing with Section 32401), and, as determined by the Department of Finance, reimbursement of the State Board of Equalization for expenses incurred in the administration, enforcement, and collection of the taxes imposed by Article 3 (commencing with Section 32225), pursuant to its powers vested by this part, and reimbursement of the Controller for expenses incurred in the administration of the fund, all moneys in the fund shall be allocated as provided in subdivision (b)

(b) Moneys in the fund shall be allocated according to the following formula:

(1) Twenty-four percent shall be deposited in the Prevention, Treatment and Recovery Account, which is to be further allocated for the purposes specified in subdivision (a) of Section 32222 as follows:

(A) Four percent for the purposes of paragraph (1).

(B) Thirteen percent for the purposes of paragraph (2)

(C) Two percent for the purposes of paragraph (3)

(D) Five percent for the purposes of paragraph (4).

(2) Twenty-five percent shall be deposited in the Emergency and Trauma Care Account, which is to be further allocated for the purposes specified in subdivision (b) of Section 32222 as follows:

(A) Seventeen percent for the purposes of paragraph (1)

(B) Eight percent for the purposes of paragraph (2).

(3) Fifteen percent shall be deposited in the Mental Health Account, which is to be allocated for purposes specified in subdivision (c) of Section 32222.

(4) Fifteen percent shall be deposited in the Infants, Children and Innocent Victims Account, which is to be further allocated for the purposes specified in subdivision (d) of Section 32222 as follows:

(A) Six percent for the purposes of paragraph (1).

(B) Four percent for the purposes of paragraph (2).

(C) Three percent for the purposes of paragraph (3).

(D) Two percent for the purposes of paragraph (4).

(5) Twenty-one percent shall be deposited in the Law Enforcement Account, which is to be further allocated for the purposes specified in subdivision (e) of Section 32222 as follows.

(A) Two percent for the purposes of paragraph (1).

(B) Fourteen percent for the purposes of paragraph (2).

(C) Two percent for the purposes of paragraph (3).

(D) Two percent for the purposes of paragraph (4).

(E) One percent for the purposes of paragraph (5).

(c) Any amount allocated from any account specified in subdivision (b) which is not expended within one year shall revert to the account from which it was appropriated.

(d) The percentages stated in subdivision (b) are stated as a percentage of the moneys deposited in the fund and not as a percentage of the moneys deposited in each account.

Section 32231. (a) Moneys appropriated pursuant to Section 32221 and allocated pursuant to Section 32230 shall be allocated for expenditure for the purposes specified in Section 32222 as follows:

(1) For all the purposes specified in paragraphs (1), (2), and (4) of subdivision (a); subdivision (b); and paragraphs (1), (2), and (3) of subdivision (d) of Section 32222; collectively, to counties pursuant to the following formula:

(i) One hundred and fifty thousand dollars ($150,000) to each county annually.

(ii) The remaining funds apportioned based on each county's proportionate share of population.

(2) For purposes specified in paragraph (3) of subdivision (a) of Section 32222, to the Department of Health Services.

(3) For purposes specified in paragraph (4) of subdivision (d) of Section 32222, to the Department of Rehabilitation.

(4) For purposes specified in paragraphs (1) and (2) of subdivision (e) of Section 32222, 50 percent to counties based on each county's proportionate share of population and 50 percent to cities based on each city's proportionate share of the population.

(5) For purposes specified in paragraph (3) of subdivision (e) of Section 32222, to cities, counties and districts as defined in the Community Parklands Act of 1986 (Chapter 3.7 (commencing with Section 5700) of Division 5 of the Public Resources Code) pursuant to the distribution formula specified in Section 5720 of the Public Resources Code, except there shall not be the minimum allocations specified in subdivision (b) and paragraph (1) of subdivision (c) of that section.

(6) For purposes specified in paragraphs (4) and (5) of subdivision (e) of Section 32222, to the California Highway Patrol.

(b) Moneys allocated pursuant to subdivision (a) shall be disbursed as follows:

(1) Paragraph (1), monthly.

(2) Paragraphs (2), (3), (4), and (6), quarterly.

(3) Paragraph (5), annually on the first day of each fiscal year.

(c) Moneys allocated in subdivision (a) based on population shall be allocated based on the most recent Department of Finance population estimates.

Section 32232. (a) Funds allocated for the purposes specified in paragraphs (1), (2), and (4) of subdivision (a) of Section 32222 shall be expended by counties pursuant to each county's final approval of separate alcohol and other drug program plans prepared in accordance with the provisions of Section 11810.5 and paragraphs (1) to (4), inclusive, of subdivision (a) of Section 11810.6 of, and paragraphs (1) to (4), inclusive, of subdivision (a) of Section 11983.2 of the Health and Safety Code, and any other provisions as determined by each county. Each county's final approved plans shall be submitted to the Department of Alcohol and Drug Programs for information purposes only.

(b) Funds allocated for the purposes specified in paragraphs (1) and (2) of subdivision (a) of Section 32222 shall be expended 70 percent for purposes related to alcohol and 30 percent for purposes related to other drugs.

(c) Funds allocated for the purposes specified in paragraph (2) of subdivision (a) of, and subdivisions (b), (c) and (d) of Section 32222 shall only be expended for payment of services to persons who cannot afford to pay for the services, and

for whom payment for the services will not be made through private coverage or by any program funded in whole or in part by the federal government.

(d) Of the funds allocated for the purposes specified in paragraph (3) of subdivision (a) of Section 32222, at least 50 percent shall be expended for a mass media program that both informs the public of the potential health risks of alcohol use and counteracts alcoholic beverage marketing messages.

(e) Funds allocated for the purposes specified in paragraph (1) of subdivision (b) of Section 32222 shall be expended by counties for the provision of emergency (as defined by Section 1797.70 of the Health and Safety Code) and trauma (as defined by Section 100240 of Title 22 of the California Code of Regulations) care and all related services pursuant to Sections 17000, 17001 and 17003 of the Welfare and Institutions Code.

(f) Funds allocated for the purposes specified in paragraph (2) of subdivision (b) of Section 32222 shall be disbursed by counties to physicians, as defined in Section 1797 98a of the Health and Safety Code as that section read on January 1, 1990, for emergency and trauma care services rendered, and shall be in addition to and shall not supplant levels of funding provided by Articles 3 (commencing with Section 16950) and 3.5 (commencing with Section 16951) of Chapter 5 of Part 4.7 of Division 9 of the Welfare and Institutions Code and the Emergency Medical Services Fund (Chapter 2.5 (commencing with Section 1797.98a) of Division 2 5 of the Health and Safety Code) for the 1989–90 fiscal year. Funds shall be disbursed at least quarterly on an equitable basis

(g) Funds allocated for the purposes specified in subdivision (c) of Section 32222 shall be expended pursuant to mental health programs contained in Chapters 5 (commencing with Section 5450), 6 (commencing with Section 5475), and 6 8 (commencing with Section 5565.10) of Part 1, Part 2 (commencing with Section 5600), and Part 3 (commencing with Section 5800) of Division 5 of the Welfare and Institutions Code, as follows:

(1) Fifty percent for seriously mentally-ill adults.

(2) Thirty percent for emotionally-disturbed children and adolescents.

(3) Twenty percent for mentally-ill older adults

The Department of Mental Health shall annually prepare recommendations to the Legislature on the expenditure of these funds upon review of local Short-Doyle plans or negotiated net amount contracts, as defined in Section 5705.2 of the Welfare and Institutions Code. These funds shall be used exclusively to reform and improve the support and treatment systems for the seriously mentally ill in all counties

(h) Funds allocated for the purposes specified in paragraph (1) of subdivision (d) of Section 32222 shall be expended by counties pursuant to the authority specified in subdivisions (d) and (i) of Section 1276 of Title 17 of the California Code of Regulations

(i) Funds allocated for the purposes specified in paragraph (2) of subdivision (d) of Section 32222 shall be expended by counties for programs described in Article 5 (commencing with Section 18965) of Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code.

(j) Funds allocated for the purposes specified in paragraph (3) of subdivision (d) of Section 32222 shall be expended by counties for programs described in The Domestic Violence Centers Act (Chapter 5 (commencing with Section 18290) of Part 6 of Division 9 of the Welfare and Institutions Code).

(k) Funds allocated for the purposes specified in paragraph (4) of subdivision (d) of Section 32222 shall be expended by independent living centers as defined in Section 19801 of the Welfare and Institutions Code.

(l) Funds allocated for the purposes specified in paragraph (2) of subdivision (e) of Section 32222 may be expended by counties and cities for Long Term Care Ombudsman services, as defined in Article 3 (commencing with Section 9720) of Chapter 9 of Division 8.5 of Part 1 of the Welfare and Institutions Code, in long term care facilities, as defined in subdivision (a) of Section 9701 Welfare and Institutions Code.

(m) Funds allocated for the purposes specified in paragraph (4) of subdivision (e) of Section 32222 shall be expended for an emergency medical air-transportation system crewed by personnel of the California Highway Patrol, as defined in subdivision (a) of Section 830.2 of the Penal Code.

Article 5. General Provisions

Section 32240. Expenditures pursuant to this chapter shall be used only for the purposes specified in this chapter, shall supplement 1989–90 state funding and per capita levels of service, and shall not replace existing state funding nor fund future state expenditures for increases in the cost of providing existing per capita levels of service. Existing state funding and per capita levels of service for purposes specified in this chapter shall not be reduced.

Section 32241. This chapter shall take effect on January 1, 1991.

Section 32242. This chapter shall be amended only by the four-fifths vote of the membership of both houses of the Legislature All amendments to this chapter must be consistent with its purposes.

SECTION 6. If any section of this measure, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but shall remain in full force and effect.

LEGISLATIVE STATUTE SUBMITTED BY LEGISLATURE

Number on ballot

141 **Toxic Chemical Discharge. Public Agencies.** (Statutes 1990, Chapter 407, SB 65)

[Rejected by electors November 6, 1990.]

PROPOSED LAW

SECTION 1. Section 25249.5 of the Health and Safety Code is amended to read:

25249.5. ~~Prohibition On Contaminating Drinking Water With Chemicals Known to Cause Cancer or Reproductive Toxicity.~~ No person in the course of doing business shall knowingly discharge or release a chemical known to the state to cause cancer or reproductive toxicity into water or onto or into land where ~~such~~ *the* chemical passes or probably will pass into any source of drinking water, notwithstanding any other provision or authorization of law except as provided in ~~Section~~ *Sections* 25249.9, *25249.15, and 25249.17*.

SEC. 2. Section 25249.6 of the Health and Safety Code is amended to read:

25249.6. ~~Required Warning Before Exposure To Chemicals Known to Cause Cancer Or Reproductive Toxicity.~~ No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to

the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to ~~such~~ *the* individual, except as provided in ~~Section~~ *Sections* 25249.10 *and 25249.16*.

SEC. 3. Section 25249.11 of the Health and Safety Code is amended to read:

25249.11. Definitions.

For purposes of this chapter:

(a) *"Business" means the conduct of activity, including, but not limited to, commercial or proprietary activities.*

(b) "Person" means an individual, trust, firm, joint stock company, corporation, company, partnership, ~~and~~ association, *or public agency*.

~~(b)~~ *(c)* "Person in the course of doing business" does not include any person employing fewer than ~~ten~~ *10* employees in ~~his~~ *the person's* business *or a publicly owned treatment works* ~~; any city, county, or district or any department or agency thereof or the state or any department or agency thereof or the federal government or any department or agency thereof; or any entity in its operation of a public water system as defined in Section 4010.1~~.

(d) "Person in the course of doing business" includes, but is not limited to, a public agency regardless of the number of its employees.

(e) "Public agency" means a city, county, district, government corporation, the state, or any department or agency thereof, and, to the extent permitted by law, the federal government, or any department or agency thereof.

(f) "Publicly owned treatment works" means treatment works, as defined in Section 1292 of Title 33 of the United States Code, which are owned and operated by a public agency.

~~(c)~~ *(g)* "Significant amount" means any detectable amount except an amount which would meet the exemption test in subdivision (c) of Section 25249.10 if an individual were exposed to such an amount in drinking water.

~~(d)~~ *(h)* "Source of drinking water" means either a present source of drinking water or water which is identified or designated in a water quality control plan adopted by a regional board as being suitable for domestic or municipal uses

~~(e)~~ *(i)* "Threaten to violate" means to create a condition in which there is a substantial probability that a violation will occur.

~~(f)~~ *(j)* "Warning" within the meaning of Section 25249.6 ~~need~~ *is* not *required to* be provided separately to each exposed individual and may be provided by general methods such as labels on consumer products, inclusion of notices in mailings to water customers, posting of notices, placing notices in public news media, and the like, provided that the warning accomplished is clear and reasonable. In order to minimize the burden on retail sellers of consumer products including foods, regulations implementing Section 25249.6 shall to the extent practicable place the obligation to provide any warning materials such as labels on the producer or packager rather than on the retail seller, except where the retail seller itself is responsible for introducing a chemical known to the state to cause cancer or reproductive toxicity into the consumer product in question.

SEC. 4. Section 25249.15 is added to the Health and Safety Code, to read:

25249.15. Section 25249.5 does not apply to any discharge or release by a public agency if any of the following apply:

(a) The discharge or release is a substance, or the byproducts of a substance, which is intentionally placed into water by a public water system, as defined in Section 4010.1, for the purpose of protecting or promoting public health.

(b) The discharge or release is by a public water system, as defined in Section 4010.1, if the public water system did not cause the presence of the substance in the water which is discharged or released.

(c) The discharge or release is surface runoff from a watershed where the substance is naturally present in geological formations and is present in the surface runoff.

(d) The discharge or release is stormwater runoff drained from underground vaults, chambers, manholes, storm drains, or detention basins into gutters or other flood control or drainage systems.

(e) The discharge or release is governed by a federal law in a manner which preempts state authority.

(f) The discharge or release results from activities undertaken in response to a public emergency, including, but not limited to, firefighting, or activities undertaken for public health purposes.

(g) The discharge or release takes place less than 20 months subsequent to the listing of the chemical in question on the list required to be published under subdivision (a) of Section 25249.8 or before July 6, 1992, whichever date is later.

SEC. 5. Section 25249.16 is added to the Health and Safety Code, to read:

25249.16. Section 25249.6 does not apply to any exposure by a public agency, or by a public water system, as defined in Section 4010.1, owned or operated by an entity which is not a public agency, if either of the following apply.

(a) The exposure takes place less than 12 months subsequent to the listing of the chemical in question on the list required to be published under subdivision (a) of Section 25249.8 or before November 6, 1991, whichever date is later

(b) The exposure results from activities undertaken in response to a public emergency, including, but not limited to, firefighting. For purposes of this subdivision, a response to a public emergency does not include the routine disinfection of drinking water.

SEC. 6. Section 25249.17 is added to the Health and Safety Code, to read:

25249.17. Section 25249.5 does not apply to any discharge or release by a public water system, as defined in Section 4010.1, owned or operated by an entity which is not a public agency if any of the following apply:

(a) The discharge or release takes place less than 20 months subsequent to the listing of the chemical in question on the list required to be published under subdivision (a) of Section 25249.8 or before July 6, 1992, whichever is later.

(b) The discharge or release is a substance, or the byproducts of a substance, which is intentionally placed into water by a public water system, as defined in Section 4010.1, for the purpose of protecting or promoting public health.

(c) The public water system did not cause the presence of the substance in the water which is discharged or released.

(d) The discharge or release is surface runoff from a watershed were the substance is naturally present in geological formations and is present in the surface runoff.

SEC. 7. Section 25249.18 is added to the Health and Safety Code, to read:

25249.18. It is the intent of the Legislature in amending Section 25249.11 by the act adding this section and of the people in approving the act adding this section, to include public agencies, except for publicly owned treatment works, within the prohibitions of Sections 25249.5 and 25249.6, except as provided in Sections 25249.15 and 25249.16. It is not, however, the intent of the Legislature in enacting the act adding this section, and of the people in approving the act adding this section, to affect in any manner existing statutory law with respect to

the prohibition of Section 25249.5 as it applies to any person who, in the course of doing business, knowingly discharges or releases a chemical known to the state to cause cancer or reproductive toxicity into a publicly owned treatment works. A state agency, when implementing this chapter pursuant to Section 25249.12, and a court, when interpreting this chapter, shall not construe the amendment by the act adding this section, of subdivision (c) of Section 25249.11, which excludes publicly owned treatment works from the definition of person in the course of doing business, as affecting in any manner existing statutory law with respect to the prohibition of Section 25249.5 as it applies to any person who, in the course of doing business, knowingly discharges or releases a chemical known to the state to cause cancer or reproductive toxicity into a publicly owned treatment works

INITIATIVE STATUTES

Number on ballot

128. **Environment. Public Health. Bonds.**

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED LAW

TITLE ONE

SECTION 1. Short Title

This Act shall be known as the Environmental Protection Act of 1990.

TITLE TWO

SECTION 2. Findings and Declarations

We, the People of the State of California, do find and declare:

A. Our health, natural environment and quality of life are threatened by chemical pollution of the food which nourishes us, the air we breathe and our ocean waters.

B. These environmental problems arise from a common cause, our production of and dependence on toxic chemicals in all aspects of the economy.

C. These problems are urgent issues requiring solutions, now. Our State and federal governments have failed to resolve them, and have not adequately protected our health and environment. The public's trust has been compromised by special interests, and public confidence has been weakened by government's failure to act. It is therefore necessary to act by way of initiative to make the necessary changes in law.

We hereby further find and declare:

1) Each year, millions of pounds of pesticides are used in California, and eventually contaminate the food chain, drinking water supply, ocean, air, soil and ecosystem. Many of these pesticides pose clear hazards to human life and health.

2) Our children are more vulnerable than adults to the toxic effects of pesticides because of their immature physiological systems and special susceptibility to cancer-causing substances.

3) Neither the state nor federal government has adequately protected the People of the State of California from hazardous pesticides, in the food chain, in the fields, and elsewhere in the environment, placing adults and especially children in serious jeopardy. As a result of this governmental failure, consumers and agricultural workers are exposed daily through work and food to hazardous pesticides.

4) The public health and environment will be best protected by the regulatory measures set forth in this Act, by conferring responsibility on the California Department of Health Services to control the use of pesticides, and by providing State funds for the development of safe alternatives while phasing out cancer causing and other hazardous pesticides.

We also further find and declare:

1) As a result of California's rapid economic and population growth, the People of the State consume vast amounts of fossil fuels and other chemical substances through transportation, heating and cooling, manufacturing, and in the production of electricity. That consumption creates tens of millions of tons of waste gases and pollutants every year, including carbon dioxide from combustion of fossil fuels, chlorofluorocarbons and halons from industry, and nitrous oxides from motor vehicles.

2) There is increasing and substantial scientific evidence that global temperatures are gradually being raised by the cumulative effect of the emissions of these gases released into the atmosphere by human and industrial activity.

3) In addition to the emissions of these gases, global warming is increased by the depletion of our forests and urban trees. Between 1977 and 1986 alone, California lost over 700,000 acres of its forests to agricultural use and urban expansion.

4) California's old growth redwoods are an irreplaceable national and international resource, but exist only as a fragment of an ancient temperate rain forest ecosystem which once comprised approximately 2 million acres. Their continued destruction contributes to the loss of our forests and to global warming, and their cutting and harvesting, especially through clear cutting, contributes to erosion, pollution of water courses, and destruction of fishery and animal resources. Because of their extremely high biomass per acre, preservation of ancient redwood stands is significant in counteracting global warming, and provides an example of the actions that should be taken on a global scale.

5) There is also increasing and substantial scientific evidence that chemical substances are contributing to the destruction of the stratospheric ozone layer which shields the earth's surface from dangerous solar radiation. The continued destruction of the ozone layer could result in enormous increases in skin cancer cases, decreased yields of food crops, and adversely affect the health and welfare of the People of the State of California.

6) If these emissions continue unabated, and if the loss of trees in the State continues, global warming could have substantial adverse impacts on the State, including a reduction in water deliveries from the State Water Project to agricultural and urban areas, an expansion of San Francisco Bay caused by rising ocean levels, decreased crop yields due to higher temperatures and lower precipitation, increased temperatures, and increased energy usage to cool residences and workplaces.

7) As a result, the People of the State of California declare that the State must take the steps described in this Act to reduce toxic contamination of our air, to reduce its emission of waste gases which warm the atmosphere, to reduce and eliminate its use of chemicals which destroy the stratospheric ozone layer, and to protect and restore trees in the state.

Finally, We find and declare:

1) Over one million barrels of oil are imported into California each day by oil tankers and from offshore oil platforms. In addition, current law permits oil development in state waters within three miles of the State's beaches and shores.

2) The transportation and unloading of this oil from oil tankers to shore facilities, and from offshore oil production platforms in both state and federal waters, seriously threatens the State's fishery resources, the marine food chain, coastline and beaches with oil pollution in the event of an oil spill.

3) The recent oil spill in Alaska demonstrates that current oil spill prevention practices and cleanup techniques are completely incapable of protecting the State's fishery resources, marine food chain, coastline and beaches in the event of a major oil spill. With current practices, the transportation of, and exploration and development for, oil cannot be conducted in a manner which adequately protects marine and coastal resources.

4) In addition, past municipal, industrial and agricultural discharges into the State's bay, estuarine and ocean waters, discharges into waters that flow into those waters, urban storm runoff, dredging activities, and past legal and illegal dumping of toxic wastes, have all had a serious adverse effect on the marine environment, ocean resources and water quality and therefore on public health and safety.

5) Toxic substances continue to pollute the ocean environment, fishery resources, and the marine food chain.

6) Therefore, the People of the State of California declare that the State must take the actions included in this Act, in order to protect the quality of our marine bay, estuarine and ocean waters.

Accordingly, We, the People of the State of California, do hereby enact the Environmental Protection Act of 1990, to safeguard the People from toxic contamination by chemical poisons in the food supply, to reduce chemical pollution which contributes to global warming and depletion of the ozone layer, to protect and increase the number of trees in the State thereby decreasing the production of chemicals and waste gases which contribute to global warming and depletion of the ozone layer, and to protect California's marine resources and coastline from oil spills and pollution by toxic chemicals.

TITLE THREE

SECTION 3. Chapter 9 is added to Division 21 of the Health and Safety Code, to read:

CHAPTER 9. FOOD SAFETY AND PESTICIDES

Article 1

26901. (a) The registration of any pesticide containing an active ingredient known to cause cancer or reproductive harm, which is registered for use on food or for which a tolerance exists as of the effective date of this Chapter, shall be cancelled and applicable tolerances revoked by January 1, 1996.

(b) The registration of any pesticide containing an active ingredient, registered for use on food, or for which a tolerance exists, which is determined after the effective date of this Chapter to cause cancer or reproductive harm, shall be cancelled and applicable tolerances revoked on or before five years from the date of the determination.

(c) No pesticide containing an active ingredient known to cause cancer or reproductive harm may be registered, or any tolerance adopted, for any new use on food after the effective date of this Chapter.

(d) No pesticide for which the health effects studies required by Section 13123(c) of the Food and Agricultural Code are missing or inadequate shall be registered for any new use on food

26902. (a) Notwithstanding Section 26901(a) and (b), the Director of Health Services may, by regulation, extend the registration and tolerance of a pesticide

subject thereto for a period not to exceed three years, if the registrant demonstrates for each use of the pesticide for which an extension is sought:

(1) Cancellation of the pesticide will cause severe economic hardship to the state's agricultural industry; and

(2) No known alternative pest control or management practice can be used effectively; and

(3) The tolerance adopted meets the requirements of this Chapter, including Sections 26905 and 26906; and

(4) The quantity of the pesticide used in this state has been reduced by at least an average of 10% per year over the five year period from base period use in this State.

(b) A statement as to the basis upon which the proposed regulation is then predicated, and the record then available to the Director shall be made available when notice is issued pursuant to Government Code Section 11346.5.

(c) During any extension authorized pursuant to subdivision (a):

(1) The pesticide shall be a restricted material, subject to Section 14006.5 of the Food and Agricultural Code; and

(2) The Director shall restrict uses and revoke tolerances of the pesticide as necessary in order to reduce the quantity of the pesticide used each year by an average of an additional 10% per year over the extension period from the base period use in this state.

Article 2

26903. (a) The registrant of any high hazard pesticide registered for use on food, or any person on whose behalf a tolerance has been established, may, before November 7, 1994, petition the Director pursuant to Government Code Section 11347 for a determination that the pesticide does not cause cancer. The registrant of any pesticide registered for use on food which is identified after the effective date of this Chapter as a high hazard pesticide, or any person on whose behalf a tolerance for such pesticide has been established, may petition the Director within four years after the identification for a determination that the pesticide does not cause cancer.

(b) Upon the filing of any such petition, the Director shall determine, in accordance with the standards of this Chapter and based on complete and adequate scientific data, whether it has been demonstrated that the pesticide is not known to cause cancer. The criteria for this determination shall be those utilized for classification of a pesticide known to cause cancer as specified in Section 26914(l)(1).

(c) If the Director does not adopt a regulation granting a petition filed pursuant to subdivision (a) within one year after filing, or a petition has not been filed regarding a high hazard pesticide pursuant to subdivision (a), the pesticide shall be known to cause cancer within the meaning of this Chapter, and shall be subject to Section 26901(b) if the pesticide is highly hazardous due to its active ingredient, or shall be subject to Section 26904(a) if the pesticide is highly hazardous because of its inert ingredient.

(d) The Council on Environmental Quality, established by Government Code Section 12260, shall give priority to developing alternatives to the pesticides subject to Sections 26901 and this Section.

26904. (a) No pesticide containing an inert ingredient known to cause cancer or reproductive harm may be registered, nor may a tolerance be established, for a new use on food. Existing registrations for use on food of a pesticide containing an inert ingredient known to cause cancer or reproductive harm shall be

cancelled and applicable tolerances revoked within two years of the effective date of this Chapter, or for those subsequently determined to cause cancer or reproductive harm, within two years of such subsequent determination.

(b) The Director shall not permit the use of any inert ingredient in the formulation of a pesticide registered for use on food unless the inert ingredient presents no significant risk.

Article 3

26905. (a) For any pesticide registered for use on food, the Director shall evaluate the tolerance prescribed or exemption from tolerance, or any other standard permitting pesticide residues of the active ingredient in food, to determine whether the tolerance, exemption or standard complies with the standards specified by this Chapter, including the standard specified by Section 26906. Such evaluations shall be completed: (1) for pesticides subject to Section 26901, by January 1, 1993; (2) for high hazard pesticides, by January 1, 1995, and (3) for all other pesticides, by January 1, 1997. If the data are insufficient for this determination, the Director shall require the registrant to submit additional data as deemed necessary by the Director, but in no case shall the dates herein be extended.

(b) If, pursuant to the evaluation, the Director determines that the pesticide residue fails to meet the requirements of Section 26906, the Director shall, within one year thereafter, revoke or revise the applicable tolerance, exemption, or standard, by regulation, to meet such requirements. If the requirements of Section 26906 cannot be met within the time allowed in this Section, the Director shall establish a zero tolerance.

(c) No pesticide shall be registered for a new use on food without the establishment of a tolerance in accordance with this Section or Section 26906.

(d) Tolerances shall be established based on the total risk of the active ingredient contained in the pesticide, including its metabolites, contaminants and degradation products, but excluding inert ingredients.

26906. (a) A pesticide residue may be permitted in food only if it is demonstrated that the pesticide residue presents no significant risk to human health, including the health of identifiable population groups (particularly infants and children) with special food consumption patterns. The Director shall adopt appropriate tolerances for all pesticides used on food that meet this requirement. In setting tolerances, the Director shall give appropriate consideration to the other ways in which the consumer may be affected by the same pesticide or by related substances that are poisonous or deleterious.

(b) For purposes of this Chapter, the term "no significant risk" means: (1) for pesticides that are known carcinogens or highly hazardous, the level at which the residue will not cause or contribute to a risk of human cancer in the exposed population which exceeds a rate of one in a million, utilizing the most conservative risk assessment model that is generally accepted to be scientifically valid, and which complies with the criteria of Section 12703(a) of Title 22 of the California Code of Regulations. The standard specified in this subparagraph shall also apply to other adverse human health effects of any pesticide as to which there is no generally accepted scientifically valid threshold below which exposure is safe; and (2) for all pesticides not subject to subparagraph (1), the level at which the pesticide residue will not cause or contribute to any known or potential adverse human health effects, including an ample margin of safety. A margin of safety is not ample unless human exposure per unit of body measurement is at least 1000 times less than the no observable effect level in

animals or humans on which the pesticide residue was tested, except that the Director may determine that a lower margin of safety is ample, but in no event lower than 100 times the no observable effect level, and only if there is complete and reliable exposure and toxicity data.

26907. No later than 30 days after the Director issues a proposed regulation revising a tolerance for a food use pesticide, the registrant or any person on whose behalf a tolerance has been established shall submit data to the Director and the Director of Food and Agriculture demonstrating the appropriate maximum application rates and preharvest intervals necessary to assure that no tolerance is exceeded, and that no worker will suffer impairment of health or functional capacity within the meaning of Section 26950.

26908. The Director shall not grant any new tolerance, and shall not continue, revise or renew an existing tolerance beyond January 1, 1997, unless the registrant, or a person on whose behalf a tolerance has been established, demonstrates that there are practical analytical methods available to monitor the residues of pesticide in food, which methods can reliably, routinely, and efficiently quantify the level of the residue with sensitivity sufficient to enforce all applicable tolerances.

26909. The burden of proof shall, at all times, be on the registrant or the person on whose behalf a tolerance has been established to demonstrate that use of a pesticide conforms to the requirements of Title Three of the Environmental Protection Act of 1990

26910. In order to protect the health of the People of the State of California, food produced outside of this state, foreign or domestic, which contains a residue of a pesticide which has been cancelled or cannot be registered in this state because of Sections 26901 or 26903, or which is in excess of the amount permitted by Sections 26905 and 26906, is adulterated and unsafe.

Article 4

26911. (a) Notwithstanding any other provision of law, effective July 1, 1991, all of the following functions, authority, and responsibilities are transferred from the Department of Food and Agriculture to the Department of Health Services:

(1) Evaluation of the health risks of pesticide exposure in food, air, water, the workplace and the environment;

(2) Establishment and implementation of specific criteria to evaluate the health risks of pesticides and environmental contaminants and of programs to require that tests be conducted by registrants of pesticides to determine health risks;

(3) Review and evaluation of the validity, adequacy, and completeness of pesticide test data,

(4) Development and setting of pesticide residue tolerances and permissible amounts of environmental contaminants;

(5) Development and setting of workplace health standards; and

(6) Any other authority necessary to protect public health and the environment from the hazards of pesticides.

(b) The Governor shall take all steps necessary to effectuate the transfer of authority required by subdivision (a), including the transfer of all records, equipment, supplies, personnel positions and funding related to such functions, and if necessary, the submission of a reorganization plan pursuant to Government Code Section 12080.2

26912. (a) If the Director determines that a pesticide poses a threat of adverse human health effects, the Director may, by regulation, prohibit or restrict the distribution, sale, or use of the pesticide as necessary.

(b) Notwithstanding any other provision of law, the Director of Food and Agriculture may not register, reregister, or otherwise permit the use of any pesticide inconsistent with a regulation adopted by the Director of Health Services pursuant to this Chapter, and no person may distribute, sell or use a pesticide in this state in violation of a regulation adopted by the Director of Health Services pursuant to this Chapter.

26913. (a) Notwithstanding Sections 26901 and 26903, a pesticide may be used in an eradication effort undertaken during a state of emergency declared pursuant to Section 8558 of the Government Code and subject to Chapter 1.5 of Division 4 of the Food and Agricultural Code, if there is no other alternative means of eradication, if the Director concurs in the necessity and safety of the use of the pesticide, and if the use complies with any restrictions deemed necessary by the Director.

(b) Notwithstanding Sections 26901 and 26903, a pesticide may be used to control Africanized bees, mosquitoes, or other human or animal disease vectors pursuant to Chapter 5 of Division 3 or Section 402.

Article 5

26914. The definitions in this section govern the construction of Title 3 of the Environmental Protection Act of 1990, and Chapter 1 of Division 7 of the Food and Agricultural Code.

(a) "Active ingredient" means a pesticide, excluding its inert ingredients, but including its metabolites, contaminants, and degradation product.

(b) "Adverse human health effect" means illness resulting in premature death or severe debilitation.

(c) "Base period use" means the lesser amount reported sold in 1989 or used in 1990.

(d) "Cause or contribute" means the extent to which the pesticide adversely affects human health.

(e) "Classification" by the United States Environmental Protection Agency means inclusion on a list, report, or memorandum, or identified in a final document, which is used as a basis for regulatory action, and including, but not limited to, publication in the Federal Register or otherwise made known to the public by any means.

(f) "Contaminant" means a constituent of a registered pesticide which is unavoidably produced during the manufacture of the active ingredient.

(g) "Degradation product" means the result of the biotransformation or breakdown of the parent compound by food processing or environmental factors including but not limited to air, sunlight or water.

(h) "Demonstrate" means to meet the burden of proof or establish by clear and convincing evidence

(i) "Food" is defined by Section 26012

(j) "High hazard pesticide" means any pesticide containing an active or inert ingredient which is (1) classified by the United States Environmental Protection Agency as a Group C carcinogen pursuant to the guidelines for carcinogen risk assessment published in 51 Federal Register 33992, or a comparable classification based on equivalent criteria under any successor guidelines, including, at a

minimum, each pesticide identified as a Group C carcinogen listed in 53 Federal Register 41118; or (2) determined by the Director to create such risk, utilizing the same or similar criteria.

(k) "Inert ingredient" means an ingredient that is not active, as defined in Section 2(m) of the Federal Insecticide, Fungicide and Rodenticide Act and including any contaminant therein or any substance which is the result of metabolism or other degradation of the inert ingredient.

(l) "Known to cause cancer" means (1) classification by the United States Environmental Protection Agency as a Group A or Group B carcinogen pursuant to the guidelines for carcinogen risk assessment published in 51 Federal Register 33992, or a comparable classification based on equivalent criteria under any successor guidelines, and including at a minimum each pesticide identified as a Group A or Group B carcinogen and listed in 53 Federal Register 41118; or (2) listing of a chemical by the Governor as known to the state to cause cancer pursuant to Section 25249.8; or (3) a determination by the Director utilizing the same or similar criteria as used in subparagraphs (1) and (2).

(m) "Known to cause reproductive harm" means a listing of a chemical by the Governor as known to cause reproductive toxicity pursuant to Section 25249.8.

(n) "Metabolite" means the result of biotransformation or breakdown of the parent compound by a living organism

(o) "No observable effect level" is the level of exposure which reliable experimental data derived from exposing humans or animals shows that a pesticide induces no adverse effect.

(p) "Pesticide" or "pesticide chemical" means any substance which alone, in chemical combination, or in formulation with one or more substances, is an "economic poison" as defined by Section 12753 of the Food and Agricultural Code or a pesticide as defined in Section 2(u) of the Federal Insecticide, Fungicide and Rodenticide Act, but including the active ingredient, metabolites, contaminants, degradation product, or inert ingredient, and which is used in the production, storage, or transportation of any food.

(q) "Processed food" means any food other than a raw agricultural commodity, and includes any raw agricultural commodity which has been subject to processing, including canning, cooking, freezing, dehydration, or milling.

(r) "Produce" means any food in its raw or natural state which is in such form as to indicate that it is intended for consumer use with or without any or further processing.

(s) "Raw agricultural commodity" is defined by Section 26029.

(t) "Residue" means a residue of any pesticide in any food or any other substance that is present in, or results from, metabolism or other degradation process of the pesticide.

(u) "Toxicity category" means a category established pursuant to Part 162.10(h)(1) of Title 40 of the Code of Federal Regulations.

26915. Nothing in Title Three of the Environmental Protection Act of 1990 shall be construed to remove or diminish the obligations of any person under Chapter 6.6 of Division 20 with regard to any substance to which Title Three applies.

Article 6

26916. (a) No person shall advertise, make any representation or sell any raw agricultural commodity with a representation that the commodity is certified as having "no detected pesticide residue" or any other similar claim, unless all of the following requirements are met:

(1) Documentation providing full disclosure of all pesticides used during any phase of production is submitted to the Department of Health Services and provided with the product to retail sellers;

(2) Laboratory tests for all pesticides used, and commonly used, on the commodity have been conducted for each field lot by a laboratory accredited for such tests by the Department of Health Services, with results of such tests submitted to the Department prior to retail sale;

(3) No pesticide known to cause cancer or reproductive harm, no high hazard pesticide, and no pesticide for which there is no practical analytical method of detection, has been used during any phase of production of the commodity; and

(4) Any residue does not exceed practical detection limits as determined by the Department or exceed 50 parts per billion, whichever is lower.

(b) The requirements of this Section apply only to raw agricultural commodities advertised, represented, or sold with a representation that the commodity is certified as having "no detected pesticide residue" or other similar claim, and shall not apply to organic and other agricultural commodities defined by Section 26569.11.

(c) This Section shall be effective only until November 7, 1998

SECTION 4. Sections 13127.1 and 13150.1 are added to the Food and Agricultural Code, to read:

13127 1. "As soon as possible," as used in Section 13127(d) (1) means no later than February 15, 1991.

13150 1 The director may allow the continued registration, sale, and use of an economic poison which meets any one of the conditions specified in Section 13149, only if the Director of Health Services concurs with the findings of the subcommittee and the director pursuant to Section 13150 (c) and (d).

SECTION 5. Section 21080.6 of the Public Resources Code is added, to read:

21080 6 Except as to pesticide use permits, the certification of the pesticide regulatory program pursuant to Section 21080.5 shall expire on July 1, 1992 The Secretary shall not recertify the program unless, in determining whether the program meets the criteria for certification under Section 21080 5, the Secretary determines that the public reports issued by the Departments of Food and Agriculture and Health Services to implement the program satisfy the criteria of Section 21080 5. Public reports issued in making pesticide registration, renewal, and reevaluation decisions shall contain a sufficient explanation and analysis of any significant adverse environmental effects, why any effects are determined not to be significant, and mitigation measures and alternatives, in order to provide sufficient information to the public and department to make an informed decision. Adverse environmental effects discussed shall include the impact on health of humans, plants and animals, and contamination of air, soil, and water

SECTION 6. Chapter 10 is added to Division 21 of the Health and Safety Code, to read:

CHAPTER 10. AGRICULTURAL WORKER SAFETY

26950. The Director shall develop and implement a worker protection program to prevent or reduce exposure to pesticides to the lowest achievable levels necessary to ensure that no exposed worker will suffer impairment of health or functional capacity, assuming lifetime occupational exposure at such levels. Any standard of general applicability shall be adopted by regulation.

26951. The Director shall require registrants to submit all data necessary to perform his or her duties, including California use condition data, and shall have

access to all applicable data, including pesticide use records maintained by the Department of Food and Agriculture or county agricultural commissioners

26952. No pesticide may be registered, or reregistered, by the Director of Food and Agriculture, unless the Director of Health Services has determined that the pesticide complies with Title Three of the Environmental Protection Act of 1990.

26953. (a) Article 1 (commencing with Section 6700) of Group 3 of Subchapter 3 of Chapter 6 of Title 3 of the California Code of Regulations shall be deemed adopted as standards by the Occupational Safety and Health Standards Board. The Board shall revise such standards by January 1, 1992, to conform to the requirements of this Chapter.

(b) The Standards Board, based on recommendations from the Director, shall adopt regulations which, supported by clear and convincing evidence, shall.

(1) For each crop in this State, prescribe quarantine periods, after pesticide applications to a worksite, during which the entry of workers is prohibited, which periods will prevent the impairment of health or functional capacity of workers.

(2) Require posting of written notices that warn persons to avoid entering pesticide treated areas during such periods, which warnings shall be in addition to any other warnings required by law;

(3) Require county agricultural commissioners to retain all pesticide use records for a period of time sufficient to evaluate chronic health effects of exposure; and

(4) Protect the health and functional capacity of workers and prevent or reduce exposure, as provided in Section 26950.

(c) After January 1, 1992, unless a registrant demonstrates that a shorter quarantine period is safe, the minimum period for Toxicity Category I is 72 hours; for Category II, 48 hours; for Category III, 24 hours; and for pesticides subject to Sections 26901 or 26903, 7 days, or other generic quarantine periods that the Board, by regulation, determines, based on clear and convincing evidence and the recommendations of the Director, will fulfill the purposes of Section 26950

26954 The Department shall, as lead agency, and with the assistance of the Departments of Industrial Relations and Food and Agriculture, develop a program to ensure the investigation and abatement of any condition where a health hazard from pesticides exists Investigation and abatement of individual incidents shall be directly supervised by the Department when the Director determines that such supervision is warranted

SECTION 7. Sections 50.8, 144 7, 144.8, 6382.1 and 6393.1 are added to the Labor Code, to read:

50.8. Chapter 6 6 of Division 20 of the Health and Safety Code, is a provision of state law governing occupational safety and health within the meaning of Section 50.7(a), and the pertinent parts of such Chapter, including Sections 25192 and 25249.7, shall be promptly incorporated into the State Plan.

144.7. The Board shall, by January 1, 1992, adopt regulations providing agricultural workers with rights at least as protective as the rights provided to other workers pursuant to Chapter 2 5 of Part 1 of Division 5. Such regulations shall include all registered pesticides as hazardous substances within the meaning of Section 6382 and shall permit workers, their physicians and representatives appropriate access to material safety data sheets prepared pursuant to Section 6390, and to pesticide use records.

144.8. Nothing in this Code, in the Health and Safety Code, or in the Food and Agricultural Code, shall be construed to limit the authority of the Board to adopt, and the Division to enforce, pesticide safety standards in agricultural employment in this state.

6382.1. "Substances" as used in Section 6382(b)(4) includes all pesticides registered in this state.

6393.1. The term "if the product is labeled pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended," as used in Sections 6393 and 6397(c), shall not be interpreted to relieve any person, otherwise subject thereto, from the duty to provide an MSDS to a specific purchaser of a pesticide registered in this state.

SECTION 8. Health and Safety Code Sections 26205, 26206, 26801, and 26802 are repealed.

~~26205. (a) All pesticide regulations and any amendments to these regulations adopted pursuant to the federal act or the Food and Agricultural Code, which are in effect on November 23, 1970, or which are adopted on or after this date, are the pesticide regulations in this state. The department may, by regulation, prescribe tolerances for pesticides in processed foods in this state whether or not these tolerances are in accordance with the regulations adopted pursuant to the federal act or the Food and Agricultural Code.~~

~~(b) Except as otherwise provided in this subdivision, the department shall evaluate the tolerance prescribed, or an exemption from a tolerance granted, for a pesticide in processed foods and make a determination whether or not the existing tolerance, or the exemption from a tolerance, is protective of the public health whenever any one of the following occurs:~~

~~(1) The Director of Food and Agriculture designates the pesticide as a restricted material pursuant to subdivisions (a) and (b) of Section 14004.5 of the Food and Agricultural Code.~~

~~(2) The Director of Food and Agriculture refuses to register or cancels the registration of the pesticide pursuant to Section 12825, or suspends the registration of the pesticide pursuant to Section 12826, of the Food and Agricultural Code, upon determining that the pesticide is detrimental to the public health and safety.~~

~~(3) The Director of Food and Agriculture adopts regulations restricting worker entry into areas treated with the pesticide pursuant to Section 12981 of the Food and Agricultural Code.~~

~~(4) The pesticide is the subject of a proceeding pursuant to a determination by the Environmental Protection Agency under paragraph (3)(i)(A), (3)(ii)(A), (3)(ii)(B), or (3)(iii) of subsection (a) of Section 162.11 of Title 40 of the Code of Federal Regulations.~~

~~The requirement to evaluate a tolerance prescribed, or an exemption from a tolerance granted, for a pesticide does not apply if the department finds that any of the actions described in paragraphs (1) to (4), inclusive, occurred for reasons that are not related to the question whether or not the existing tolerance, or the exemption from a tolerance, adequately protects the public health. If the department makes such a finding, the reasons for the finding shall be stated in writing.~~

~~(c) The determination required by subdivision (b), and the reasons for the determination, shall be stated in writing. If the determination is required because any of the actions described in paragraphs (1) to (4), inclusive, of subdivision (b) occurs after January 1, 1985, the determination shall be completed within one~~

~~year of the date of the action. If the determination is required because any of those actions occurred prior to January 1, 1985, the determination shall be completed by January 1, 1990.~~

~~(d) In any case where the department, after consultation with the Department of Food and Agriculture, determines, pursuant to subdivision (b), that the tolerance prescribed, or an exemption from a tolerance granted, for a pesticide is not protective of the public health, the department shall, if it does not act immediately pursuant to subdivision (a), transmit notice of its determination to the responsible federal agencies and shall request that they take action, pursuant to the federal act, to modify the tolerance or an exemption from a tolerance. If, after one year from the date the notice is transmitted, the department finds that the responsible federal agencies have failed to take appropriate action to protect the public health, the department shall exercise its authority pursuant to subdivision (a) to prescribe a tolerance that is protective of the public health and shall notify the responsible federal agencies of its action.~~

~~26206. All food additive regulations and any amendments to such regulations adopted pursuant to the federal act which are in effect on November 23, 1970, or which are adopted on or after such date, are the food additive regulations of this state. The department may, by regulation, prescribe conditions under which a food additive may be used in this state whether or not such conditions are in accordance with the regulations adopted pursuant to the federal act.~~

~~26801. Any person who violates any provision of this division or any regulation adopted pursuant to this division shall, if convicted, be subject to imprisonment for not more than one year in the county jail or a fine of not more than one thousand dollars ($1,000), or both the imprisonment and fine. If the violation is committed after a previous conviction under this section which has become final, or if the violation is committed with intent to defraud or mislead, the person shall be subject to imprisonment for not more than one year in the county jail, imprisonment in state prison, or a fine of not more than ten thousand dollars ($10,000), or both the imprisonment and fine.~~

~~26802. One-half of all fines collected by any court or judge for any violation of any provision of this division shall be paid into the State Treasury to the credit of the General Fund.~~

SECTION 9. Labor Code Section 6399.1 is repealed.

~~6399.1. Compliance with regulations of the Director of Food and Agriculture issued pursuant to Section 12981 of the Food and Agricultural Code shall be deemed compliance with the obligations of an employer toward his or her employees under this chapter.~~

SECTION 10. Food and Agricultural Code Sections 12501, 12502, 12503, 12504, 12505, 12561, 12562, 12563, 12565, 12582, 12608.5, 12671, 12980, 12981, 12982, 12985, 12986, 12998, and 13000 are repealed.

~~12501. Unless the context otherwise requires, the definitions in this article govern the construction of this chapter.~~

~~12502. "Food" means any article which is used for food or drink for man or any other animal, or for a component of any such article.~~

~~12503. "Pesticide chemical" means any substance that is used in the production, storage, or transportation of produce which is an "economic poison" as defined in Section 12753.~~

~~12504. "Produce" means any food in its raw or natural state which is in such form as to indicate that it is intended for consumer use with or without any or further processing.~~

~~12505. "Pesticide residue" means any pesticide chemical which is added to produce.~~

~~12561. The director by regulation may establish permissible tolerances for any pesticide chemical in or on produce if he or she finds each of the following:~~

~~(a) The pesticide chemical is useful for the production and marketing of the produce.~~

~~(b) The presence of the pesticide chemical as pesticide residue in quantities within the tolerances so established is not deleterious to the health of man or animals.~~

~~12562. The director may exempt any pesticide chemical from the requirement of a tolerance if he finds that the pesticide chemical may safely be used without a tolerance.~~

~~12563. The director may establish the tolerance for any pesticide chemical on produce at zero if he finds that a greater tolerance is not justified.~~

~~12565. If a tolerance for a pesticide chemical in or on produce is established pursuant to any law of the United States, the director may review the tolerance, and if he finds that it is in accordance with the standards and provisions of this chapter, he may establish a like tolerance pursuant to this chapter.~~

~~12582. The director shall immediately notify the State Director of Health Services by telephone, with immediate written confirmation, whenever a lot of produce destined for processing is found to be in violation of this chapter.~~

~~12608.5. Upon demand of the owner or person in rightful possession of the produce for permission to remove the produce destined for processing, the director shall release the produce to the custody of the State Director of Health Services.~~

~~12671. It is unlawful for any person to pack, ship, or sell any produce that carries pesticide residue in excess of the permissible tolerance which is established by the director pursuant to this chapter.~~

~~12980. The Legislature hereby finds and declares that it is necessary and desirable to provide for the safe use of pesticides and for safe working conditions for farmworkers, pest control applicators, and other persons handling, storing, or applying pesticides, or working in and about pesticide-treated areas.~~

~~The Legislature further finds and declares that the development of regulations relating to pesticides and worker safety should be the joint and mutual responsibility of the Department of Food and Agriculture and the State Department of Health Services.~~

~~The Legislature further finds and declares that in carrying out the provisions of this article, the University of California, the Department of Industrial Relations, and any other similar institution or agency should be consulted.~~

~~12981. The director shall adopt regulations to carry out the provisions of this article. Such regulations shall include, but are not limited to, all of the following subjects:~~

~~(a) Restricting worker reentry into areas treated with pesticides determined by the director to be hazardous to worker safety by using either or both of the following:~~

~~(1) Time limits.~~

~~(2) Pesticide residue levels on treated plant parts determined by scientific analysis to not be a significant factor in cholinesterase depression or other health effects.~~

~~When the director has adopted regulations pursuant to both paragraphs (1) and (2), the person in control of the area treated with the pesticide shall have the~~

option of following regulations adopted pursuant to either paragraph (1) or (2). If the person in control of the area treated with the pesticide chooses to follow regulations adopted pursuant to paragraph (2), the director may establish and charge the person a fee necessary to cover any costs of analysis or costs incurred by the director or commissioner in carrying out regulations adopted pursuant to paragraph (2). The regulations shall include a procedure for the collection of the fee, and the fee shall not exceed actual cost.

(b) Handling of pesticides.

(c) Hand washing facilities.

(d) Farm storage and commercial warehousing of pesticides.

(e) Protective devices, including, but not limited to, respirators and eyeglasses.

(f) Posting, in English and Spanish, of fields, areas, adjacent areas or fields, or storage areas.

The State Department of Health Services shall participate in the development of any regulations adopted pursuant to this article. Such regulations that relate to health effects shall be based upon the recommendations of the State Department of Health Services. The original written recommendations of the State Depart / ment of Health Services, any subsequent revisions of those recommendations, and the supporting evidence and data upon which the recommendations were based shall be made available upon request to any person.

12982. The director and the commissioner of each county under the direction and supervision of the director, shall enforce the provisions of this article and the regulations adopted pursuant to it. The local health officer may assist the director and the commissioner in the enforcement of the provisions of this article and any regulations adopted pursuant to it. The local health officer shall investigate any condition where a health hazard from pesticide use exists, and shall take necessary action, in cooperation with the commissioner, to abate any such condition. The local health officer may call upon the State Department of Health Services for assistance pursuant to the provisions of Section 2951 of the Health and Safety Code.

12985. Any person who orders an employee to enter an area posted with a warning sign in violation of any worker safety reentry requirements promulgated pursuant to this article by the director is guilty of a misdemeanor. A violation of this article affecting any worker or workers constitutes a separate offense for each affected worker.

12986. (a) The director shall approve programs for training persons who handle or apply pesticides in aerial pest control operations. The training programs shall be consistent with, but not limited to, this article and may include participation by trainees in field practices or exercises dealing with the safe handling and application of pesticides and may include performance measure / ment of the practices and exercises.

(b) The approved training programs shall be conducted by industry qualified instructors. Industry qualified instructors are persons approved by the director.

(c) All persons who successfully complete an approved training program shall be issued a certificate of completion by industry qualified instructors, which shall be available for inspection by the director or a commissioner, or his or her representative. When the person completing an approved training program attended the program at the request or expense of the person's employer, the employer shall be provided a copy of the certificate of completion, which also shall be available for inspection by the director or a commissioner, or his or her representative.

~~12998. Any person who violates any provision of this division relating to pesticides, or any regulation issued pursuant to a provision of this division relating to pesticides, shall be liable civilly in an amount not exceeding ten thousand dollars ($10,000) for each violation. Any person who commits a second or subsequent violation that is the same as a prior violation or similar to a prior violation or whose intentional violation resulted or reasonably could have resulted in the creation of a hazard to human health or the environment or in the disruption of the market of the crop or commodity involved, shall be liable civilly in an amount not to exceed twenty-five thousand dollars ($25,000). Any money recovered under this section shall be paid into the Department of Food and Agriculture Fund for use by the department in administering the provisions of this division, and Division 6 (commencing with Section 11401).~~

~~13000. An action brought pursuant to this article shall be commenced by the director, the commissioner, the Attorney General, the district attorney, the city prosecutor, or the city attorney, as the case may be, within two years of the occurrence of the violation. However, when an investigation is completed and submitted to the director, the action shall be commenced within one year of that submission.~~

SECTION 11. Sections 25249.71, 25249.81, 26205 and 26801 are added to the Health and Safety Code, to read:

25249.71 Any person who has given notice in accordance with Section 25249.7(d) shall be permitted to intervene in any action brought pursuant to Section 25249.7 by the Attorney General, a district attorney, or a city attorney, on such terms as the court finds appropriate

25249.81 The state's qualified experts identified and consulted pursuant to Section 25249 8(b) and (d) shall be subject to Chapter 7 of Title 9 of the Government Code

26205 All pesticide and food additive regulations and any amendments adopted thereto pursuant to the federal act, the Health and Safety Code or the Food and Agricultural Code, which are in effect on November 7, 1990, are the pesticide and food additive regulations in this state unless they are established, revised or revoked pursuant to Sections 26901, 26905 or 26906 The Department may, by regulation, prescribe conditions under which a food additive may be used in this state, whether or not such conditions are in accordance with the regulations adopted pursuant to the federal act

26801 Any person who violates any provision of this Division or any regulation adopted pursuant to this Division shall be subject to the terms of imprisonment and fines provided by Section 12996 of the Food and Agricultural Code, or to a civil penalty in the amount and subject to the procedures set forth in Section 12998 of the Food and Agricultural Code.

SECTION 12. Sections 12535 5, 12536, 12616, and 12998 are added to the Food and Agricultural Code, to read.

12535.5 The director shall maintain programs to monitor raw agricultural commodities for pesticide residues and other contaminants, using pesticide use and other data, and shall enforce tolerances and other standards for raw agricultural commodities Monitoring shall emphasize pesticides which pose the greatest health risks, including those which are subject to Sections 26901 and 26903 of the Health and Safety Code, and which pose greater risks to children and infants and other sensitive population subgroups. The director shall also give emphasis to monitoring food imported into California and shall, at least annually, report the results of the programs to the Legislature.

12536. The director shall establish and implement a collection program under which, upon request of an agricultural pesticide user and without cost to the user, the Department shall collect and safely dispose, or arrange for collection and safe disposal, of any pesticide subject to Section 26901 of the Health and Safety Code.

12616. The provisions of this Chapter that apply to produce found to contain pesticide residues or other deleterious ingredients in excess of any maximum quantity or permissible tolerance established pursuant to this Chapter shall also apply to any processed food found to contain pesticide residues or other deleterious ingredients in excess of any maximum quantity or permissible tolerance, and shall also apply to any pesticide residue or other deleterious ingredient in excess of any maximum quantity or tolerances established pursuant to the Health and Safety Code, including Sections 26905 and 26906. However, Section 26901 shall not apply to food that was processed prior to November 7, 1990, or to food which bears a residue of any pesticides subsequently determined to be subject to Section 26901, by operation of Section 26903, that was processed before that subsequent determination. In addition, food processed prior to the revision of any tolerance pursuant to Section 26905 shall not be deemed adulterated

12998. (a) Any person who violates any provision of this Division, or any regulation adopted pursuant to this Division relating to pesticides, shall be liable for a civil penalty, without regard to intent or negligence, not to exceed ten thousand dollars ($10,000), or for intentional, negligent or repeated violations, not to exceed twenty-five thousand dollars ($25,000), for each separate violation, or, for continuing violations, for each day that the violation continues.

(b) Liability under this Section may be imposed in a civil action or in an administrative proceeding governed by the procedures set forth in Health and Safety Code Section 25189.3 or any other provision of law.

(c) Any action brought pursuant to this Division relating to pesticides shall be commenced within three years of the occurrence of the violation or discovery of the facts constituting the grounds for commencing the action.

SECTION 13. Sections 26052 and 26504 of the Health and Safety Code are amended, to read:

26052. The provisions of this division shall be so construed as to not be in conflict with *(1)* the provisions of *Title 3 of the Environmental Protection Act of 1990 or* the Food and Agricultural Code ~~of this state,~~ *and the rules and regulations adopted pursuant thereto, but if there is an actual or apparent conflict, Title 3 of the Environmental Protection Act of 1990 shall prevail;* or *(2)* with the provisions of the Alcoholic Beverage Control Act, Division 9 (commencing with Section 23000) of the Business and Professions Code, and the rules and regulations adopted pursuant thereto.

26504. Any added poisonous or deleterious substance, or any food additive, pesticide chemical, *active ingredient as defined in Section 26914(a),* preservative, or color additive, shall be considered unsafe for use with respect to any food, *as defined in Section 26914(i), and such food is therefore adulterated,* unless there is in effect a regulation adopted pursuant to ~~Section~~ *Sections* 26205, ~~26206, or~~ 26207, *26905 or 26906* which limits the quantity and the use, or intended use, of such substance to the terms prescribed by such regulation ~~,~~ *and the quantity of residue is within the limits of that regulation.*

TITLE FOUR

SECTION 14. Part 7 is added to Division 26 of the Health & Safety Code, to read:

PART 7. GREENHOUSE GAS REDUCTION PLAN

44390. By January 1, 1993, the Energy Resources Conservation and Development Commission shall adopt and implement a plan to reduce annual emissions of any gases which may contribute, directly or indirectly, to global warming. The plan shall provide for the maximum feasible net effective reduction in the global warming potential of these gases. The plan shall also require a net reduction in carbon dioxide emissions of twenty percent (20%) by January 1, 2000, measured from 1988 levels, and forty percent (40%) by January 1, 2010. These percentages shall be adjusted, if necessary, by a correction factor which reflects any difference between the projected rate of population growth in California, and the projected rate for the United States.

For purposes of this Part, "net effective reduction in global warming potential" means a reduction, based on the best evidence available, of those air contaminants which contribute directly or indirectly to atmospheric warming, including but not limited to carbon dioxide, chlorofluorocarbons, halons, nitrous oxide and methane, weighted to reflect their respective contributions to global warming Carbon dioxide emitted from the generation of electricity which is consumed within California shall be considered a part of California's emissions, regardless of where the electricity is generated.

44391. (a) The provisions of the plan specified by Section 44390 related to energy conservation and development and electrical power generation shall be prepared and implemented by the Commission In preparing and implementing those provisions, the Commission shall consult with affected Districts to ensure that those provisions will not interfere with the attainment or maintenance of state or federal ambient air quality standards.

(b) The provisions of the plan related to emissions from vehicular sources and motor vehicle fuels shall be prepared and implemented by the Air Resources Board That Board shall also prepare and implement provisions relating to any greenhouse gas emissions not specified by subdivision (a) or (c).

(c) The provisions of the plan related to stationary sources, indirect sources, area wide sources and transportation system use in a particular district may be prepared by the air pollution control district or air quality management district, at the district's option. If prepared by a district, the provisions shall be submitted to the Board which shall, after public hearing, approve or revise the submission Districts shall adopt regulations to implement the measures in the plan relating to emissions from stationary sources, indirect sources, area wide sources and transportation system use, provided that districts may adopt and enforce regulations more effective in reducing emissions than measures contained in the plan.

(d) The plan provisions prepared by the Board and any district shall be submitted to the Commission by June 30, 1992.

44392. All state and local agencies shall adopt any necessary regulations to implement the plan prepared and adopted pursuant to Section 44390, and shall not take any action inconsistent with that Plan

SECTION 15. Part 8 is added to Division 26 of the Health and Safety Code, to read

PART 8. STRATOSPHERIC OZONE LAYER PROTECTION

44450. For purposes of this Part·

(a) "Group I chemical" means chlorofluorocarbon-11, chlorofluorocarbon-12, chlorofluorocarbon-113, chlorofluorocarbon-114, chlorofluorocarbon-115, halon-1211, halon-1301, halon-2402, carbon tetrachloride, methyl chloroform, and any mixture containing one or more such chemical.

(b) "Group II chemical" means any hydrochlorofluorocarbon (HCFC) and any other chemical determined by the Air Resources Board to have the potential to deplete stratospheric ozone, and any mixture containing one or more such chemical.

44451. (a) No later than January 1, 1993:

(1) The maximum feasible recovery and recycling of Group I chemicals shall be conducted during the servicing or disposal of any air conditioning and refrigeration systems and appliances, including vehicular air conditioners, and during the disposal of building and appliance insulation,

(2) Any person shall be prohibited from manufacturing, selling, or offering for sale or use any Group I chemical in a container which contains less than 15 pounds of such chemical (except for specific pharmaceutical applications and fire extinguishing applications for which the Board, after a public hearing, has determined there is no commercially available adequate alternative);

(3) Any person shall be prohibited from manufacturing, selling, or offering for sale or use any packaging material which contains or was manufactured with a Group I chemical, and

(4) The Board shall adopt regulations to ensure that any substitute or replacement for a Group I chemical does not endanger human health

(b) Any person who uses a Group I chemical as a foam blowing agent, as a solvent for industrial cleaning, defluxing, or degreasing, or for any other industrial manufacturing purpose, shall reduce the atmospheric emissions of such chemical, by January 1, 1993, by at least ninety (90) percent from the amount emitted by such person in 1988.

(c) No later than January 1, 1995

(1) Any person shall be prohibited from manufacturing, selling, or offering for sale or use any new motor vehicle, as defined in Sections 39042 and 43156, whether passenger or commercial, if such vehicle contains a vehicular air conditioner which uses a Group I chemical; and

(2) Any person shall be prohibited from manufacturing, selling, or offering for sale or use any insulating material, rigid foam material, or soft foam product containing a Group I chemical

(d) No later than December 31, 1996, any person shall be prohibited from manufacturing, selling, or offering for sale or use any Group I chemical or any product containing, assembled or manufactured with such chemical, and from using any such chemical in any manufacturing, assembly, or packaging process

44452. (a) Any person shall be prohibited from producing, assembling, packaging, selling, or offering for sale or use any aerosol product (other than a pharmaceutical product) containing a Group II chemical by January 1, 1992, or any foam product (other than insulating materials) containing or manufactured with a Group II chemical by January 1, 1994

(b) Group II chemicals shall be subject to all of the requirements of Section 44451(a)(1)

(c) Any person shall be prohibited from manufacturing, selling, or offering for sale or use any Group II chemical or product containing, assembled or

manufactured with such chemical, and from using any such chemical in any manufacturing, assembly, or packaging process after January 1, 2020.

44453. (a) Sections 44451 and 44452 shall not be construed to prohibit the continued use or resale of an individual article which contains a Group I or Group II chemical if such product was manufactured, sold or offered for sale or use before any applicable deadline therein.

(b) Section 44451 shall not be construed to prohibit the maintenance or service of any product with a Group I chemical, provided that after January 1, 1997, only recovered and recycled Group I chemicals are used for such purposes.

(c) The Air Resources Board shall adopt regulations as necessary to implement the requirements of this Part, including any additional measures, such as intermediate deadlines, necessary to achieve the purposes of Section 44452(c).

(d) The Board shall adopt regulations under which any person may petition, no later than one year prior to the applicable deadline, for an extension of a deadline established under Sections 44451 or 44452 The Board may grant, by regulation, up to three extensions of not more than two years each, provided the petitioner has demonstrated by clear and convincing evidence that:

(1) The petitioner has thoroughly and fairly considered all alternative chemicals, products, or processes that potentially would achieve compliance with the applicable deadline, or which would result in a lower level of ozone depletion,

(2) No such alternative is available for the petitioner's particular application;

(3) If the deadline is extended, the petitioner will implement all commercially available means to prevent the emission of Group I or Group II chemicals to the atmosphere, and

(4) The extension is necessary to avoid substantial and widespread economic and social hardships to the general public.

(e) Notwithstanding the provisions of subdivision (d), the Board may grant an extension or extensions of an applicable deadline as necessary for basic research purposes or for medical purposes.

44454. By regulation, the Board shall alter any deadline established pursuant to Sections 44451 or 44452, in order to establish an earlier deadline, if it finds that feasible and commercially practicable alternatives to specific uses of Group I or Group II chemicals are earlier available

44455. (a) By January 1, 1993, the Bureau of Automotive Repair shall establish and administer a program mandating the installation and proper use of approved refrigerant recycling equipment by any person who services vehicular air conditioners, and enforcing the use of that equipment.

(b) As used in this Section and in Section 44451:

(1) "Approved refrigerant recycling equipment" means equipment that is approved by the Air Resources Board, in consultation with the Bureau of Automotive Repair which will minimize the amount of Group I chemicals released to the atmosphere; and

(2) "Vehicular air conditioner" means mechanical vapor compression refrigeration equipment used to cool the driver's or passenger compartment of any motor vehicle, or the refrigerated compartment of a commercial vehicle.

44456. Nothing in Part 7 or Part 8 of Division 26 shall be construed to remove or diminish the obligations of any person under Chapter 6.6 of Division 20 with regard to any substance to which Part 7 or Part 8 applies.

SECTION 16. Article 10.8 is added to Chapter 3 of Division 1 of Title 7 of the Government Code, to read:

Article 10.8. Commercial and Residential Tree Planting

65592. (a) By December 1, 1991, the Resources Agency shall adopt regulations requiring that any person who constructs a project plant one tree for each five hundred (500) square feet of such project.

(b) Such regulations shall provide for appropriate tree selection that maximizes air quality benefits (including absorption of gases that may contribute directly or indirectly to atmospheric warming), energy conservation, and appropriate long term maintenance of the trees planted.

(c) The regulations shall also provide that tree planting shall be done, in the following order of priority:

(1) On the site of the project;

(2) On private property, or along public streets, within five miles of the site of the new development; or

(3) On public or private land, or along public streets, within the same geographical area.

(d) The regulations shall further establish procedures for payment of an appropriate fee to a locally designated agency, or other agency determined by the Resources Agency, in lieu of planting and maintenance, to be used solely for the planting and maintenance of trees

(e) The regulations shall exempt any project of less than five hundred (500) square feet of construction, and any project which involves remodeling or replacement of a single family home, from the requirements of this Section.

SECTION 17. Chapters 5, 6 and 7 are added to Part 2 5 of Division 4 of the Public Resources Code, to read:

CHAPTER 5

Article 1

4801. As used in Chapters 5, 6 and 7 of this Part, "stand of ancient redwood" means a forested area containing at least six trees per acre of the species Sequoia sempervirens greater than 32 inches diameter at breast height or greater than 175 years old

Article 2

4802 The Ancient Redwood Forest and Reforestation Fund is hereby created.

4803 (a) Notwithstanding Section 13340 of the Government Code, all money deposited in the Ancient Redwood Forest and Reforestation Fund is hereby continuously appropriated to the Wildlife Conservation Board, without regard to fiscal years, for (1) acquisition of stands of ancient redwood, (2) for grants to itself and to other public agencies, public land trusts or nonprofit organizations, for urban forestry projects, as defined by Section 4799.09, and for their maintenance, or to establish, rehabilitate, maintain or restore forest lands by reforestation, or for public planting or maintenance or other appropriate rural forest resource improvement projects; and (3) for associated administrative costs of the Board or other agency in carrying out these programs. The Secretary of the Resources Agency may select a Department within the Resources Agency, other than the Wildlife Conservation Board, to administer the program established by subparagraph (2).

(b) No later than August 15, 1991, the Wildlife Conservation Board shall establish, after public hearing, a priority list of stands of ancient redwood which should be acquired by the State of California. In establishing that list, the Board shall consider, but not be limited to, whether the possible acquisition is threatened by logging, would preserve an undisturbed stand of ancient redwood,

provide a representative example of the coastal redwood forest which previously existed, provide critical habitat to plants and animals, provide opportunities for public access, and whether it could be effectively managed to preserve its values. The Board shall give highest priority to acquisition of the largest remaining stands of ancient redwood (measured alone or in conjunction with other contiguous acquisitions) never previously subject to timber harvesting.

As promptly as feasible after the establishment of the priority list, but no later than November 7, 1991, the Board shall begin acquisition of the stands of ancient redwood, with an aggregate market value of two hundred million dollars ($200,000,000), by entering into binding agreements for purchase or by initiating condemnation proceedings. Upon acquisition, the stands shall be managed in perpetuity to preserve their integrity and value as ancient redwood forest, free from logging, and the Secretary of the Resources Agency may designate such stands as ecological preserves within the meaning of Section 1580 of the Fish and Game Code, notwithstanding the provisions of Section 1582.

(c) Where the owner of a stand of ancient redwood designated for acquisition is unwilling to sell voluntarily, the Board shall utilize the eminent domain authority of the State of California to acquire the property by eminent domain. In any case where the stand of ancient redwood designated for acquisition is threatened by logging, and where the owner is unwilling to sell voluntarily, the Board shall utilize the procedures for possession prior to judgment specified in Article 3 of Chapter 6 of Title 7 of Part 3 of the Code of Civil Procedure.

(d) In exercising such authority, the Board shall consider alternatives to acquisition in fee, including easements, development rights, life estates, leases and leaseback arrangements, to the extent that they may result in acquisition of a greater amount of ancient redwood, but in all cases the stand of ancient redwood shall be preserved and shall not be subject to timber harvesting. Reference in Chapter 5 or Chapter 6 to the acquisition of stands of ancient redwood means acquisition of fee simple title or of lesser interests under this subsection.

CHAPTER 6

4804. Bonds in the total amount of three hundred million dollars ($300,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to be used for carrying out the purposes expressed in Section 4803 and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724 5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest as they become due and payable.

4805 The proceeds of bonds and notes issued and sold pursuant to this Chapter shall be deposited in the Ancient Redwood Forest and Reforestation Fund created by Section 4802 Two hundred million dollars ($200,000,000) shall be allocated for the purposes of acquiring stands of ancient redwood, and one hundred million dollars ($100,000,000) shall be allocated for the remaining purposes specified by Section 4803

4806 The bonds authorized by this Chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 [commencing with Section 16720] of Part 3 of Division 4 of

Title 2 of the Government Code), and all provisions of that law shall apply to the bonds and are hereby incorporated in this Chapter as though set forth in full in this Chapter.

4807. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this Chapter, the Ancient Redwood Forest and Reforestation Finance Committee is hereby created, and for purposes of this Chapter is "the committee" as that term is used in the State General Obligation Bond Law. The committee shall consist of the Controller, the Director of Finance, and the Treasurer, or their designated representatives. The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

(b) For purposes of this Chapter and the State General Obligation Bond Law, the Wildlife Conservation Board is hereby designated as "the board."

4808. The committee shall act as expeditiously as is consistent with generally accepted principles of fiscal prudence to enable the board to carry out the purposes of Chapter 5. In so doing, the committee shall determine when it is necessary or desirable to issue bonds authorized pursuant to this Chapter in order to carry out the purposes of Chapter 5, and the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those purposes progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

4809 There shall be collected annually in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

4810 Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund, for the purposes of Chapter 5, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this Chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out Section 4809, appropriated without regard to fiscal years.

4811 For the purpose of carrying out Chapter 5, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of unsold bonds which have been authorized by the committee to be sold for the purposes of carrying out those provisions Any amounts withdrawn shall be deposited in the fund created by Section 4802. Any money made available under this section shall be returned to the General Fund from money received from the sale of bonds which would otherwise be deposited in the fund created by Section 4802.

4812. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account in the General Fund, in accordance with Section 16312 of the Government Code, to carry out Chapter 5. The amount of the loan shall not exceed the amount of the unsold bonds which the committee has, by resolution, authorized to be sold for the purposes of Chapter 5. The board shall execute any documents as required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with Chapters 5 and 6

4813. All money derived from premium and accrued interest on bonds sold shall be reserved and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

4814. Any bonds issued or sold pursuant to this Chapter may be refunded by the issuance of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code. Approval by the electors of the state for the issuance of the bonds shall include approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

4815. (a) Notwithstanding Section 16312 of the Government Code and Section 4812, the interest on any loans made from the Pooled Money Investment Account to the fund in order to carry out the purposes of Chapter 5 shall be paid from the General Fund.

(b) Notwithstanding Section 13340 of the Government Code, the amounts required to be paid pursuant to subdivision (a) are hereby continuously appropriated from the General Fund.

(c) The appropriations for interest payments pursuant to subdivision (b) are appropriations for debt service, as defined in Section 8 of Article XIII B of the California Constitution, and are therefore exempt from the appropriations limit set by that Article

4816. The People of the State of California hereby find and declare that, since the proceeds from the sale of bonds authorized by this Part are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitation imposed by that Article.

4817 It is the intent of the People of the State of California in enacting Chapters 5 and 6 that the bond funds authorized by Chapter 6 shall not be used to displace any existing sources of funds for the purposes authorized by Section 4803

CHAPTER 7

4818. Between November 7, 1990, and November 7, 1991, to the extent constitutionally permissible, no logging shall occur, and no timber harvesting plan authorizing such logging shall be approved, within any stand of ancient redwood which, alone or in conjunction with any contiguous stand under public ownership, measures ten (10) or more acres and which has never previously been subject to timber harvesting.

4819. Any stand of ancient redwood may be logged only by using the selection method. For purposes of this Section, "selection method" means a silvicultural system in which continuous forest cover remains following completion of logging operations, and in which the stand is at all times composed of trees of various ages and sizes.

SECTION 18. Public Contract Code Section 12161 is repealed.

~~12161. For the purpose of this article, "recycled paper product" means all paper and woodpulp products containing postconsumer waste and secondary waste materials, as defined in this section. "Postconsumer waste" means a finished material which would normally be disposed of as a solid waste, having completed its life cycle as a consumer item. "Secondary waste" means fragments of finished products or finished products of a manufacturing process, which has converted a virgin resource into a commodity of real economic value, and includes postconsumer waste, but does not include fibrous waste generated during the manfac-~~

~~turing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), wood slabs, chips, sawdust, or other wood residue from a manufacturing process.~~

~~"Recycled paper product" means a paper product with not less than 50 percent of its total weight consisting of secondary and postconsumer waste with not less than 10 percent of its total weight consisting of postconsumer waste.~~

SECTION 19. Section 12161 is added to the Public Contract Code, to read:

12161. For the purpose of this Article, "recycled paper product" means all paper and woodpulp products containing postconsumer waste and secondary waste materials as defined in this Section "Postconsumer waste" means a finished material which would normally be disposed of as solid waste, having completed its life cycle as a consumer item. "Secondary waste" means fragments of finished products or finished products of a manufacturing process which has converted a virgin resource into a commodity of real economic value and includes postconsumer waste, but does not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), wood slabs, chips, sawdust or other wood residue from a manufacturing process. "Recycled paper product" means a paper product with not less than fifty percent of its total weight consisting of secondary and postconsumer waste with not less than ten percent of its total weight consisting of postconsumer waste

SECTION 20. Sections 12162, 12163, and 12168 of the Public Contract Code are amended, to read:

12162. (a) The department *and other state agencies*, in consultation with the board, shall revise ~~its~~ *their* procedures and specifications for state purchases of paper products, to give preference ~~, wherever feasible,~~ to the purchase of paper products containing recycled paper ~~products~~ as defined pursuant to Section 12161.

(b) The department *and other state agencies* shall give a preference to the suppliers of recycled paper products as defined pursuant to Section 12161 This preference shall be ~~up to 5~~ *10* percent of the lowest bid or price quoted by suppliers offering nonrecycled paper products. In bids in which the state has reserved the right to make multiple awards, the recycled paper preference cost shall be applied, to the extent possible, so as to maximize the dollar participation of recycled business in the contract award.

~~(c) The combined dollar amount of preference granted pursuant to this section and any other provision of law shall not exceed one hundred thousand dollars ($100,000).~~

~~(d) Notwithstanding subdivision (b), and subdivision (a) of Section 12168, the recycled paper bidder preference shall not exceed fifty thousand dollars ($50,000) if a preference exceeding that amount would preclude an award to a small business that offers nonrecycled paper products and is qualified in accordance with Section 14838 of the Government Code. This subdivision shall apply only when the small business is the lowest responsible bidder or is eligible for contract award on the basis of application of the 5 percent small business preference.~~

~~(e)~~ *(c)* To encourage the use of postconsumer waste, the ~~department's~~ specifications *of the department and other state agencies* shall require recycled paper product contracts to be awarded to the bidder whose paper ~~product~~ contains the greater percentage of postconsumer waste if the fitness and quality and price meet the requirements in Sections 12161 and 12162.

~~(f)~~ *(d)* The ~~department~~ *procuring agencies* shall set the following goals for the purchasing of recycled paper products:

(1) By January 1, 1992, at least 35 percent of the total dollar amount of paper products purchased or procured by the ~~department~~ *procuring agencies* shall be purchased as a recycled paper product.

(2) By January 1, 1994, at least 40 percent of the total dollar amount of paper products purchased or procured by the ~~department~~ *procuring agencies* shall be purchased as a recycled paper product.

(3) By January 1, 1996, at least 50 percent of the total dollar amount of paper products purchased or procured by the ~~department~~ *procuring agencies* shall be purchased as a recycled paper product.

~~(g)~~ *(e)* Procuring agencies shall report to the department on their progress in meeting the goals and shall submit to the department a detailed plan to meet the goals. The department shall develop a uniform reporting procedure by which ~~procuring~~ agencies *procuring products* shall abide. If at any time a goal has not been met, the department, in consultation with the board, shall review procurement policies and shall make recommendations for immediate ~~revisions~~ *revision* to ensure that each goal is met. ~~Revisions include, but are not limited to, raising the purchasing preference and altering the goals for all or each recycled product. The department, in consultation with the board, shall present its conclusions and recommendations on these revisions of procurement policies to the Legislature in the department's annual report pursuant to Section 12225.~~

12163. (a) The director, in consultation with the board, shall review the procurement specifications currently used by the department *and other state agencies* in order to eliminate~~, wherever economically feasible,~~ discrimination against the procurement of recycled paper products.

(b) The director, in consultation with the board, shall review the recycled paper product *content* specifications at least annually to consider increasing the percentage of recycled paper product in paper and woodpulp product purchases The director shall include his or her conclusions and recommendations in the department's annual report pursuant to Section 12225.

(c) When contracting with the department for the sale of material subject to this article, the contractor shall certify in writing to the contracting officer or his or her representative that the material offered contains the minimum percentage of recycled paper required by Section 12161 and shall specify the minimum, if not exact, percentage of secondary and postconsumer waste in the paper products. The certification shall be furnished under penalty of perjury.

(d) The department, in consultation with the board, shall establish purchasing practices which, to the maximum extent economically feasible, assure purchase of materials which may be recycled or reused when discarded.

(e) The department shall make every effort to eliminate purchases of paper products deemed potential contaminants to the state's recycling program pursuant to Section 12165.

12168. (a) *Notwithstanding Sections 41074 and 41374 of the Public Resources Code,* ~~Fitness~~ *fitness* and quality being *functionally* ~~equal~~ *adequate* , all local ~~and state public agencies shall purchase recycled paper products instead of nonrecycled paper products whenever available at no more than the total cost of nonrecycled paper products. All local public~~ agencies *shall* ~~may~~ give preference to the suppliers of recycled paper products , *including but not limited to printed recycled paper products purchased or contracted for through commercial printers. This preference shall be at least 10 percent of the lowest bid or price quoted*

by suppliers offering nonrecycled paper products. For the purpose of this section, "local agencies" means every city, county, city and county, school district, and community college. ~~All local public agencies may define the amount of this preference.~~ In bids in which the *local agency* ~~state~~ has reserved the right to make multiple awards, the recycled paper preference cost shall be applied, to the extent possible, so as to maximize the dollar participation of firms offering recycled paper in the contract award.

~~(b) The combined dollar amount of preferences granted pursuant to this section and any other provisions of law shall not exceed one hundred thousand dollars ($100,000).~~

~~(c) Notwithstanding subdivision (a), and subdivision (b) of Section 12162, the recycled paper bidder preference shall not exceed fifty thousand dollars ($50,000) if a preference exceeding that amount would preclude an award to a small business that offers nonrecycled paper products and is qualified in accordance with Section 14838 of the Government Code. This provision shall apply only when the small business is the lowest responsible bidder or is eligible for contract award on the basis of application of the 5 percent business preference.~~

(b) If a local agency can demonstrate that existing levels of service have been or will be reduced because of financial obligations imposed by this Section, they shall be entitled to receive reimbursement and may apply for reimbursement from the Integrated Waste Management Account for the costs associated with this Section which are above those costs ordinarily incurred for the procurement of paper products.

TITLE FIVE

SECTION 21. Division 27 is added to the Public Resources Code, to read:

DIVISION 27 BAY, ESTUARINE AND OCEAN WATER PROTECTION

CHAPTER 1. MARINE RESOURCES SANCTUARY

37010. A Marine Resources Sanctuary is hereby created which includes all state marine bay, estuarine and ocean waters. To protect the Sanctuary and its resources:

(a) No state agency or official shall enter into any lease for the extraction of oil or gas therefrom, unless the President of the United States has found a severe energy supply interruption and has ordered distribution of the Strategic Petroleum Reserve pursuant to 42 U. S C. Section 6241(d), and the Governor of California finds that the energy resources of the Sanctuary will contribute significantly to the alleviation thereof.

(b) On and after January 1, 2000, no publicly owned treatment work shall discharge pollutants to the waters of the Sanctuary without at least secondary treatment, as defined by the federal Clean Water Act. No state agency or official shall approve, reapprove or concur in a waiver of such a secondary treatment requirement which would allow the discharge, after January 1, 2000, of pollutants to the waters of the Sanctuary, without at least secondary treatment.

37011. Where necessary to maintain, protect or enhance the quality of the waters of the Sanctuary or its resources, the State Lands Commission or the California Coastal Commission may issue cease and desist orders pursuant to the procedures of Government Code Sections 66637 through 66641, with respect to any permit, lease, license or other approval or authorization for any activity requiring a permit, lease, license or other approval or authorization, and may levy administrative civil fines pursuant to the procedures and limitations of Govern-

ment Code Sections 66641 5 through 66641.9. The maximum liability for violation of any such cease and desist order shall not exceed $25,000 per day. Any monies recovered hereunder by the State Lands Commission shall be deposited in the Land Bank Fund created by Section 8610, and any monies recovered hereunder by the California Coastal Commission shall be subject to Section 30823.

CHAPTER 2. OIL SPILL PREVENTION AND CLEANUP

37020. A State Oil Spill Coordinating Committee is hereby created, composed of the chairpersons of the California Coastal Commission and State Lands Commission, and the Director of the Department of Fish and Game, or their designees, to coordinate compliance with this Chapter.

37021. After January 1, 1992, no lease shall be issued or renewed for a potential source of oil spills, which source is located on granted or ungranted tidelands, unless the State Lands Commission has adopted, by regulation, the State Oil Spill Prevention Plan. The Plan shall:

(a) Be applicable to all potential sources of oil spills which may affect the Sanctuary and its resources,

(b) Be implemented through regulatory and land use actions by all agencies with jurisdiction over prevention measures identified in the Plan for potential sources of oil spills not within the jurisdiction of the State Lands Commission;

(c) Specify the prevention measures applicable to potential sources of oil spills including, but not limited to, requirements for the use of tugboat escorts for tankers, establishment of emergency stations for disabled tankers, and periodic inspections of potential sources of oil spills, and

(d) Include requirements for financial responsibility applicable to potential sources of oil spills operating in or adjacent to the Sanctuary.

37022. (a) By January 1, 1992, the California Coastal Commission, in consultation with the State Lands Commission and the Department of Fish and Game, shall specify requirements for oil spill contingency plans for all potential sources of oil spills which may affect the Sanctuary established by Chapter 1, to the extent not preempted or prohibited by federal law.

(b) After January 1, 1992, no permit or approval required by state or federal law from the California Coastal Commission or the San Francisco Bay Conservation and Development Commission, for any development or activity which may involve a potential source of an oil spill, shall be approved unless an oil spill contingency plan has been approved by the appropriate Commission.

(c) The requirements specified by the Commission pursuant to subdivision (a) shall ensure that each oil spill contingency plan incorporates the best available containment and cleanup technology and provides for maximum possible protection of the Sanctuary and its resources.

37023. By January 1, 1992, the California Coastal Commission shall adopt regulations for the preparation of local government and port oil spill contingency plans which shall be submitted to the Commission for certification and which shall be incorporated into certified local coastal programs and port master plans pursuant to the procedures of Chapters 6 and 8 of Division 20.

SECTION 22. Article 7 is added to Chapter 3 of Division 2 of the Fish and Game Code, to read:

Article 7. Oil Spill Prevention and Response

1250. The Office of Oil Spill Response is hereby created in the Department of Fish and Game which shall be responsible for, and direct, all activities relating to oil spill response, including interagency coordination, oil spill contingency

training and implementation of oil spill contingency plans. A Deputy Director of the Department of Fish and Game shall serve as Administrator of the Office.

(a) In the event of an oil spill into the waters of the state, the Administrator is authorized to expend from the Fund created by Public Resources Code Section 6230, such moneys as he or she deems necessary to respond to the spill, assess the damage from the spill, restore the affected resources, and make emergency loans to victims of the spill.

(b) Any person responsible for the spilling or discharging of oil into the waters of the state, and each of their agents or employees, shall comply with directions of the Administrator regarding oil spill response, containment, and cleanup, subject to the overriding authority of the United States Coast Guard. Failure to comply with any such directions shall result in civil liability of the responsible party to the State of California of not less than ten thousand dollars ($10,000) nor more than two hundred fifty thousand dollars ($250,000) per day.

(c) The Administrator shall have sole state authority over the use of dispersants and any oil spill cleanup agents in connection with an oil spill or discharge, consistent with the regulations adopted pursuant to Water Code Section 13169.

(d) The Administrator, in coordination with the California Coastal Commission, State Lands Commission and the United States Coast Guard shall carry out periodic announced and unannounced oil spill drills which shall ensure compliance with, and ability to implement, oil spill contingency plans and state interagency plans adopted pursuant to Government Code Section 8574.1.

SECTION 23. Section 8574.1 of the Government Code is amended, to read:

8574.1. ~~In addition to any other authority conferred upon the Governor by this chapter, the Governor may establish a state oil spill contingency plan pursuant to the provisions of this article.~~ *The Governor shall establish a State Interagency Oil Spill Contingency Plan pursuant to the provisions of this Article, Division 7.8 of the Public Resources Code, and Division 2 of Chapter 3 of Article 7 of the Fish and Game Code. The Plan shall be reviewed every two years and modified as appropriate*

SECTION 24. Chapter 3.5 of Part 1 of Division 6 is added to the Public Resources Code, to read:

CHAPTER 3.5. OIL SPILL PREVENTION AND RESPONSE FUND

6230. The Oil Spill Prevention and Response Fund is hereby created. All money collected pursuant to Section 6232 shall be deposited in the Fund.

6231. (a) Notwithstanding Section 13340 of the Government Code, all money deposited in the Oil Spill Prevention and Response Fund is hereby continuously appropriated to the Office of Oil Spill Response and the Administrator thereof, without regard to fiscal years, for the purposes specified by Fish and Game Code Section 1250(a). The Legislature shall appropriate monies in the Fund, only as follows:

(1) The State Lands Commission, the California Coastal Commission, and the Department of Fish and Game, shall each receive five percent (5%) of the Fund in the first year in which monies become available for expenditure from the Fund, four percent (4%) of the Fund in the second year, three percent (3%) of the Fund in the third year, two percent (2%) of the Fund in the fourth year, and one percent (1%) of the Fund in the fifth and each succeeding year thereafter, to be used as necessary to develop, implement and administer the responsibilities imposed by Chapter 2 of Division 27 of the Public Resources Code, by Article 7 of Chapter 3 of Division 2 of the Fish and Game Code, and by this Chapter.

(2) The amount appropriated to each agency pursuant to subdivision (a)(1) shall not exceed two and one-half million dollars ($2,500,000) annually, unless the Legislature determines otherwise.

(3) Monies in the Fund shall not be reappropriated.

(4) All amounts appropriated pursuant to this Section which are not encumbered within the period prescribed by law shall revert to the Fund.

(b) Any appropriations made pursuant to this Section shall be used only for the purposes expressed, shall be used to supplement current levels of funding, and shall not be used to displace any existing sources of funds for the purposes authorized.

6232. The State Lands Commission shall be responsible for collecting and administering the Oil Spill Prevention and Response Fund.

(a) The Commission shall impose an oil spill prevention and response fee on each barrel of oil delivered to marine terminals by tanker, or through pipeline across, through or under state waters. That fee shall be commensurate with the oil spill risk posed by the method of transportation and volume of oil transported, but shall not in any case exceed twenty-five cents ($0.25) per barrel. No fee shall be imposed on any oil owned by a public entity.

(b) The fee shall be assessed at a rate sufficient for the Fund to reach five hundred million dollars ($500,000,000) within six (6) years, at which point it shall be considered fully funded and equivalent to the oil spill risks posed. The fee shall be adjusted annually to ensure that the Fund remains within 15% of its fully funded level Any and all interest collected shall be retained in the Fund.

(c) The Attorney General shall bring appropriate actions to recover from responsible parties expenditures from the Fund, and in successful proceedings shall be entitled to costs and attorney's fees.

(d) The State Lands Commission is authorized to reduce the size of the Fund required by subdivision (b) to a level it determines appropriate, if federal or state legislation enacted after October 10, 1989, establishes a similar fund, and if the Commission finds, after public hearing, that the federal or state legislation and fund are sufficient to provide at least the level of protection for marine resources and the People of the State of California required by state law.

6233. For purposes of this Chapter, Division 27 of this Code, and Section 1250 of the Fish and Game Code·

(a) "Potential source of oil spills" means any facility of any kind, other than a tanker, which is or can be used for the purpose of exploring for, drilling for, producing, storing, handling, transferring, processing, refining or transporting oil including, but not limited to, marine terminals used for transferring oil to or from tankers, offshore pipelines, offshore oil exploration rigs and platforms, and development and production rigs and platforms.

(b) "Oil" means any kind of petroleum, liquid hydrocarbons, or petroleum products or any fraction or residues therefrom.

(c) "Operator" has the same meaning as "responsible person" as defined in Harbors and Navigation Code Section 294(g)(7)(B)

(d) "Responsible person" has the same meaning as in Harbors and Navigation Code Section 294(g)(7).

(e) "Tanker" means a vessel, including, but not limited to, oilers and barges, whether or not self-propelled, constructed or adapted for the carriage of oil in bulk or in commercial quantities as cargo.

6234. The People of the State of California hereby find and declare that, since the oil spill prevention and response fee imposed pursuant to this Chapter is a fee

which is directly related to and will not exceed the costs which the State will reasonably bear in responding to and preventing oil spills, the disbursement of the proceeds of the fee in the manner specified is not subject to the limitation imposed by Article XIII B of the California Constitution.

SECTION 25. Section 30232.5 is added to the Public Resources Code, to read:

30232.5. Notwithstanding Section 30260, oil shall be transported by land pipeline unless the applicant establishes and the Commission finds:

(a) Transportation by pipeline is not feasible, or will not be feasible within a reasonable period of time because of pipeline unavailability, inadequate capacity, or unreasonable tariffs;

(b) Pipeline transportation has greater adverse environmental effects;

(c) All alternative pipeline routes and methods have been considered;

(d) The environmental impacts of the alternative transportation mode are mitigated to the maximum extent feasible; and

(e) The applicant has made an enforceable commitment to use a pipeline as soon as operational and available.

SECTION 26. Chapter 5.7 is added to the Water Code, to read:

CHAPTER 5.7. WATER QUALITY PROTECTION

13397. The most protective water quality criteria for toxic pollutants developed by the Environmental Protection Agency pursuant to Section 304(a) of the federal Clean Water Act are hereby adopted as water quality objectives, except where the Environmental Protection Agency approves a standard submitted by the State pursuant to Section 303 of the Clean Water Act, or where the State has adopted a more stringent standard pursuant to this Division.

13397.5. By January 1, 1993, sediment quality objectives, as defined by Section 13391.5(d), for toxic pollutants specified by Section 13392.6(a), shall be adopted as water quality standards for the state's marine bay, estuarine and coastal waters. Those standards shall ensure the full protection of public health and recreational values, and the full protection and propagation of fish, shellfish and their habitat.

13397.6. (a) The state board shall develop a statewide monitoring program to assess water and sediment quality and the biological health of marine bay, estuarine and ocean waters. The Board shall report biennially to the Governor and the Legislature on the water and sediment quality of such waters, and the health of marine resources. Each such report shall provide a descriptive and numerical comparative analysis of each bay, estuarine, and coastal water area from the status at the time of the prior report

(b) Each regional board shall develop specific plans for full protection of public health and recreational values, and for the full protection and propagation of fish, shellfish and their habitat in the state's marine bay, estuarine and ocean waters. In developing such plans, the regional boards shall ensure full public participation of all interested parties

13397.7. (a) By June 1, 1992, unless earlier required by federal or state law, the regional boards and the board shall establish total maximum daily loads, load allocations, and waste load allocations, as required by the federal Clean Water Act, for toxic pollutants which address all point and nonpoint industrial, municipal, agricultural, and other sources of discharge into any marine bay, estuarine or ocean waters. By June 1, 1994, unless earlier required by federal or other state law, the regional boards shall implement such total maximum daily loads, load allocations and waste load allocations, through the issuance or amendment of waste discharge requirements. The requirements shall include

specific discharge limits sufficient to satisfy the load allocations and waste load allocations, and shall also include an adequate margin of safety that reflects any lack of knowledge about pollutant sources and attainment of water quality standards and policies. The regional boards shall periodically revise such limits.

(b) If the water quality standards for any toxic pollutant are not met for any marine bay, estuarine, or ocean waters, and if the regional boards have not implemented the total maximum daily loads, load allocations, and waste load allocations within the required deadlines, then the regional boards shall be prohibited from issuing or amending any waste discharge requirement that increases the discharge of that pollutant into any such water.

13397.8. The state board shall require each coastal county to develop and submit, by January 1, 1994, for state board approval a comprehensive stormwater management and control plan for existing and new development. The plan shall include implementation, funding and enforcement components designed to minimize runoff to bay, estuarine and ocean waters.

13398. (a) On and after January 1, 1992, a permittee shall submit a pollution prevention audit for review by the appropriate regional board prior to the issuance or renewal of:

(1) Any local waste water discharge permit to an industrial user discharging 25,000 gallons or more daily into a publicly owned treatment works;

(2) Such permits for users with a lesser discharge as required by the State Board or a regional board; or

(3) A permit issued pursuant to Chapter 5.5 of the Water Code, except one issued to a publicly owned treatment works.

(b) The board shall, in consultation with other appropriate agencies, determine whether the audit contains the information required by this Section and whether it demonstrates by clear and convincing evidence that a reasonable effort is being made to prevent pollution, and the board shall require any necessary revisions.

(c) Progress towards implementation of the audit shall be an enforceable condition of any permit specified in subdivision (a).

(d) Each such audit shall:

(1) Identify all routinely discharged pollutants suspected of contributing to water quality degradation, standards violations, or adverse impacts on beneficial uses, and all in-plant activities, processes or operations which are the sources thereof; and

(2) Include for each such pollutant all of the following:

(A) An estimate of the mass quantity discharged from each source identified in (d)(1) and the amount entering and exiting each treatment unit within the plant;

(B) An evaluation of the pollution prevention measures available and in-plant recycling and the degree to which each will prevent pollution and is technically feasible and economically practicable;

(C) Based thereon, a specification of the measures that will be implemented by the discharger, and a factual showing, based on clear and convincing evidence, why any available measure was not implemented; and

(D) A schedule for implementation.

(e) For purposes of this Section, "pollution prevention measures" means input changes, product reformulation, process operations improvements, process equipment improvements, and in-process recycling.

(f) The regional board and any other agency reviewing such an audit shall protect from public disclosure any audit information which is a trade secret within the meaning of Section 6254.7(d) of the Government Code, providing that (1) a claim of confidentiality is made at the time the audit is submitted and (2) accepting the claim of confidentiality would not be inconsistent with the requirements for state programs or publicly owned treatment works programs implementing the federal Clean Water Act or acts which amend or supplement that Act.

13398.5. Publicly owned treatment works shall establish technical assistance programs to assist their industrial dischargers that discharge less than 25,000 gallons daily, in the development of pollution prevention audits consistent with the requirements of Section 13398. Publicly owned treatment works may revise their industrial discharge fees to fund such programs.

13399. The state board shall adjust and increase its schedule of permit fees applicable to all direct and indirect industrial and commercial dischargers, which are assessed and collected annually. The schedule of fees, as adjusted, shall be increased in an amount sufficient to fund the responsibilities of the board and regional boards under this Chapter and the responsibilities of the Department of Health Services pursuant to Article 10.1 of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, shall create incentives to reduce pollutant discharge, and shall be based on the total number of dischargers assessed fees, the relative amount and toxicity of pollutants discharged, and such other factors that the Board finds necessary; provided, however, that the increase in the amount of fees required by this Section shall not exceed two million dollars.

SECTION 27. Article 10.1 is added to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, to read:

Article 10.1. Marine Resources and Human Health Standards

427.10. The State Department of Health Services shall take all necessary actions to identify threats to public health from contaminated fish, and from waters that pose a public health threat to swimmers or beach users, and shall take all necessary steps to warn and protect the public from such threats to public health.

427.11. (a) By December 31, 1991, the Director shall adopt, by regulation, based on clear and convincing evidence, health based standards for poisonous or deleterious substances, as defined in Section 26520, including, but not limited to, aldrin, dieldrin, benzine hexachloride, chlordane, DDT, endrin, heptachlor and heptachlor epoxide, PCB's, heavy metals, mercury, dioxins, copper, lead, zinc, toxaphene, and bacterial and viral contaminants, in fish and shellfish, and other marine life used for food, in accordance with the standards specified for pesticides in Section 26906(b). If, however, the presence of pervasive, unavoidable environmental contaminants exceeds those standards, the consequences of the application of those standards on the availability of an adequate, wholesome, and economical marine food supply shall be considered, and those standards shall be modified accordingly; provided that, this exception shall be strictly construed to protect the public health, while recognizing the uncontrollable nature of the presence of those contaminants.

(b) The Department shall, in cooperation with the Department of Fish and Game, exercise all powers available under Division 21 of this Code, and shall take all appropriate actions to prevent human consumption of fish containing

substances in excess of the standards established by subsection (a), including the closure of specific areas or the prohibition of the taking of species within specific areas in sport or commercial fishing.

(c) The standards adopted pursuant to subdivision (a) shall be valid for no longer than seven years from the date of adoption. All those standards shall be reviewed by the Director five years following the date of adoption to determine if there has been a reduction, or increase, in the persistence or pervasiveness of each environmental contaminant. All standards shall be revised accordingly. Proposed regulations revising or continuing the standards shall be promulgated six months prior to the expiration date of any applicable standards. Each revision or continuation of a standard shall be supported by clear and convincing evidence.

427.12. (a) By January 1, 1992, the Department, in cooperation with the State Water Resources Control Board, shall develop and adopt safe statewide water quality standards for swimmers and beach users for marine bay, estuarine, and coastal waters utilizing both coliform bacterium and enterococci bacterium as indicators. In developing standards, the Department shall also consider the protection of children and the risks associated with viruses.

(b) Any body of water found to exceed such standards shall, in addition to the requirements of Section 427.5, immediately be posted with a public health warning by the public health official having jurisdiction over such area. The area shall remain posted until such time as the standard is complied with.

(c) If any body of water exceeds these standards for thirty (30) or more days per year, the public health official having jurisdiction over such area shall post a permanent health warning notifying the public of the chronic contamination. The public health official shall report chronic contamination postings to the regional water quality control board in whose jurisdiction the body of water is located The warnings may be removed only when the body of water experiences less than thirty (30) days per year of chronic contamination.

427.13. Nothing in this Article shall be construed to remove or diminish the obligations of any person under Chapter 6.6 of Division 20 with regard to any substance to which this Article applies.

TITLE SIX

SECTION 28. Chapter 3 5 is added to Title 2 of the Government Code, to read:

CHAPTER 3 5. ENVIRONMENTAL ADVOCATE

12260 (a) The Office of the Environmental Advocate is hereby created. There is in state government an Environmental Advocate, who shall administer the Office of the Environmental Advocate. The Environmental Advocate shall be elected in the General Election of 1992 in the same manner as the Governor, for a term of two years, and thereafter for a term of four years.

(b) The Office of the Environmental Advocate shall have all the proper powers of a Department of the executive branch.

(c) The Environmental Advocate shall advocate the proper implementation of the Environmental Protection Act of 1990, and the full and complete enforcement of all the laws of the State of California relating to environmental protection and public health. The Environmental Advocate shall conduct oversight investigations, studies and any other analyses appropriate to ensure compliance with such laws. The Environmental Advocate shall also recommend to private parties, the

Governor, the Legislature, the United States Congress and all appropriate agencies policies and actions to ensure environmental protection and public health.

(d) The California Council on Environmental Quality is hereby created, as part of the Office of the Environmental Advocate. The Governor shall appoint six members to the Council, subject to Senate confirmation, each for a term ending January 1, 1993, and the Director of the Department of Health Services shall serve as chairperson until that date. Upon election of the Environmental Advocate, the Advocate shall appoint six members to the Council, subject to Senate confirmation, for two year terms, and the Advocate shall serve as chairperson. Each member of the Council shall have significant expertise on questions of environmental protection and public health, and the Council shall include representatives of the University of California and the California State Universities. Each member shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of his or her duties to the extent that reimbursement is not otherwise provided by another public agency or agencies, and shall also receive one hundred dollars ($100) for each full day of attending meetings of the Council. Each member of the Council shall be subject to Chapter 7 of Title 9 of the Government Code.

(e) The Council shall issue periodic reports on the state of the environment and shall evaluate the state's progress towards meeting the requirements of the Environmental Protection Act of 1990

(f) The Council shall also:

(1) Administer a competitive grants program for applied research and extension on alternatives to pesticides in agriculture, including interdisciplinary projects on alternative farming systems, methods, processes and technologies;

(2) Administer a competitive grants program for applied research on development of alternatives and other methods for compliance with Titles 4 and 5 of the Environmental Protection Act of 1990, and for methods of source reduction of toxic chemicals in the State.

(g) All public agencies of the State of California shall cooperate with the Environmental Advocate and shall provide information to the Environmental Advocate upon request necessary to carry out his or her duties

(h) The Legislature may assign additional responsibilities to the Environmental Advocate, consistent with this Section. The Governor and Legislature shall appropriate funds and provide personnel to the Office of the Environmental Advocate sufficient for the Environmental Advocate to meet the requirements of this Section.

(i) The Advocate, in his or her name, is authorized to bring or intervene in any legal or other proceeding to ensure compliance with the Environmental Protection Act of 1990 or other laws enacted to protect the environment and public health. Before undertaking any such action, the Advocate shall initiate all appropriate means to resolve the matter informally, by conferring with all the affected parties. To the extent the Attorney General also has the authority to take such action, the Advocate shall give sixty (60) days notice of the proposed action, and may proceed thereafter only if the Attorney General declines to proceed. If the Attorney General elects to initiate, or intervene in, the proposed proceeding, the Advocate may thereafter intervene therein, as a matter of right However, the requirement for a sixty (60) day notice shall be inapplicable in situations where earlier action is necessary to achieve compliance, but in all such cases the Advocate shall confer with the Attorney General prior to filing.

(j) The salary of the Environmental Advocate shall be as specified and determined by Government Code Section 11552.5.

(k) Notwithstanding Section 13340 of the Government Code, the sum of seven hundred fifty thousand dollars ($750,000) is hereby appropriated from the General Fund to the Office of the Environmental Advocate for operations during fiscal year 1992–1993.

(l) Notwithstanding Section 13340 of the Government Code, the sum of forty million dollars ($40,000,000) is continuously appropriated from the General Fund to the Office of the Environmental Advocate, without regard to fiscal years, for the grants programs specified in subdivision (f), to be allocated equally between the purposes specified in subdivision (f)(1) and those specified in subdivision (f)(2). Until the Environmental Advocate is elected, no more than twenty five percent (25%) of such grant funds may be awarded.

TITLE SEVEN

SECTION 29. Division 13.2 is added to the Public Resources Code, to read:

DIVISION 13.2. ENFORCEMENT OF THE ENVIRONMENTAL PROTECTION ACT OF 1990

21180. (a) In addition to any other remedy available at law or in equity, any provision of the Environmental Protection Act of 1990 that requires or forbids a private party to take or refrain from action directly affecting the environment or human health may be enforced pursuant to this section. Any person, including any governmental agency, who has violated, is violating, or is threatening to violate any such provision may be enjoined, and a civil penalty may be imposed, in any court of competent jurisdiction.

(b) An action pursuant to this section may be brought by the Attorney General in the name of the People of the State of California, or by any district attorney, or by any city attorney of a city or city and county having a population in excess of 750,000, or with the consent of the district attorney by any city attorney or city prosecutor.

(c) An action pursuant to this section may be brought by any person acting in the public interest if: (1) the action is commenced more than sixty days after the person has given written notice of the violation which is the subject of the action to the Attorney General and the district attorney and any city attorney in whose jurisdiction the violation is alleged to occur, and to the alleged violator; and (2) none of such public officials has commenced and is diligently prosecuting an action against such violation. The limitations specified in this subsection do not apply to an action brought against a governmental agency or official.

(d) If a public official undertakes a prosecution pursuant to the written notice described in subdivision (c)(1), before the noticing party brings an action under subdivision (c), the person who gave the notice shall be permitted to intervene in the action on such terms as the court finds appropriate

(e) The Legislature shall establish appropriate penalties, civil and criminal, for violations of the provisions of the Act for which a penalty is not specified. These penalties need not be uniform These penalties shall provide that in any civil action brought pursuant to subdivision (c) any prevailing plaintiff and intervenor shall be entitled to share in an appropriate portion of any civil penalty imposed, as well as appropriate attorney's fees authorized by any other provision of law. An intervenor may receive attorney's fees upon a finding by the court that the efforts of the intervenor substantially assisted the court in reaching a just resolution of the case. In such event, the court shall divide the portion of civil

penalties awarded, and shall award attorney's fees, taking into account the respective contributions of the parties to the success of the action and the need for intervention.

21181. All laws and regulations of this State designed to protect the food supply or environment, including this Act, shall be liberally construed to achieve those purposes.

TITLE EIGHT

SECTION 30. Governor's Responsibility

The Governor is accountable to the People of the State of California for the complete, timely and effective implementation of this Act. The Governor shall therefore annually report to the People on the status of implementation, beginning October 15, 1991.

TITLE NINE

SECTION 31. Technical Matters

(a) If any provision of this Act, or the application of that provision to any person or circumstances, is held invalid, the remainder of this Act, to the maximum extent it can be given effect, or the application of that provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Act are severable.

(b) This Act shall be liberally construed and applied in order to fully promote its underlying purposes, so that if more than one construction of a particular provision is possible, the one which more fully accomplishes the purposes of this Act shall be applicable.

(c) No provision of this Act shall be amended by the Legislature, except to further its purposes by a statute passed by each house by roll call vote entered in the journal with two-thirds of each membership concurring, if at least fourteen days prior to passage in each house the bill is in its final form, or by a statute that becomes effective only when approved by the electorate.

(d) Any regulation adopted by an agency, department or official charged with enforcing any provision of this Act is not subject to Article 6 of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Any such regulation shall include a statement as to the basis upon which it is predicated.

(e) All references to statutes or regulations in this Act are to the text thereof in effect October 10, 1989, unless changes to those statutes or regulations further the purpose of this Act. In that event, this Act shall be interpreted to refer to the amended statute or regulation.

(f) Nothing in this Act shall diminish any legal obligation otherwise imposed by common law, statute or regulation, nor enlarge any defense in any action to enforce that legal obligation. Any penalties or sanctions imposed under this Act shall be in addition to any penalties or sanctions otherwise prescribed by law.

(g) For purposes of this Act, "person" shall have the same meaning as in Section 26024 of the Health and Safety Code, and shall also include the United States, and its agencies and officials to the extent constitutionally permissible.

(h) (1) Any action or proceeding to attack, review, set aside, void or annul a determination, finding, or decision, including a failure to act, of any public agency, made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken and discretion in the determination of facts is vested in the agency, on the grounds of noncompliance with the provisions of this Act, shall be in accordance with Section 1094.5 of the Code of Civil Procedure. In any such action, the court shall not exercise its independent

judgment on the evidence, but shall only determine whether the act or decision is supported by substantial evidence in light of the whole record.

(2) In an action other than one under subdivision (1), the inquiry shall extend only to whether there was a prejudicial abuse of discretion. Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.

Number on ballot

130. **Forest Acquisition. Timber Harvesting Practices. Bond Act.**

[Submitted by the initiative and rejected by electors November 6, 1990]

PROPOSED LAW

Section One. Title. This Initiative shall be known as the Forest and Wildlife Protection and Bond Act of 1990.

Section Two. Part 2.7, Chapter 1, commencing with Section 4800, is hereby added to Division 4 of the Public Resources Code, to read as follows:

Article I. General Provisions

Section 4800. This chapter shall be known as the Forest and Wildlife Protection and Bond Act of 1990.

Section 4801. Findings and Declarations. The People hereby find and declare all of the following:

(a) California's remaining ancient forests are a unique and irreplaceable natural resource and are valuable for biological, scientific, recreational, aesthetic, and other important reasons. Such forests provide clean water, clean air, and healthy watersheds, and help to reduce global warming. Forests and the wildlife that inhabit them also have inherent worth.

(b) The vast majority of California's ancient forests have already been logged, and it can take several hundred years or more for a logged forest to acquire ancient forest characteristics and to provide habitat for species which require such conditions.

(c) Numerous species of animals and plants in California depend upon ancient forests for important habitat, and many of these species are in danger of extinction if logging of ancient forests continues.

(d) Biological diversity is essential to the long-term health of ecosystems and is critical to a high quality environment for future Californians. Acquiring and protecting the remaining ancient forests and establishing sustainable practices in all forests will not only promote biological diversity, but will also set an important national and international example of the steps necessary to prevent deforestation worldwide.

(e) Existing laws have failed to prevent widespread logging abuses on private lands, including destruction of ancient forests, degradation of water quality and wildlife habitat, and high levels of soil erosion. A new approach to forestry practices is necessary to protect California's forests and to insure that the forest products industry is sustainable over the long term.

(f) In order to reduce soil erosion and degradation of water quality and fish habitat and to provide forest habitat for many wildlife and plant species that depend upon healthy riparian areas, it is necessary to restrict logging operations near streams and lakes.

(g) Clearcutting and related logging methods have been severely abused on private lands and have caused accelerated soil erosion, declines in soil productivity, destruction of watersheds, reduction of biological diversity, and elimination of habitat for many species of wildlife. A shift to selection logging will greatly reduce these adverse impacts and will promote sustainable forestry practices throughout California.

(h) The long term goal of insuring a sustained yield from California timberlands has been acknowledged by the Legislature to be an important principle to achieve, but little progress has been made in reaching this goal. A new regulatory program is necessary in order to insure that private and state timberlands are not logged at higher than sustainable levels.

(i) A shift to sustainable forestry practices will stabilize rural economies, enhance investments in forest industries, guarantee future employment, and provide a long term competitive advantage for California forest products Sustainable forestry practices will also prevent the rapid depletion of forest inventories that has resulted from financial speculation and corporate takeovers of timber companies.

(j) It is the policy of the State of California to discourage to the greatest extent possible the practice of exporting to foreign nations whole logs and cants originating from California forests. Such exports cause a major loss of California jobs. The People of California urge the Congress of the United States to promptly prohibit such exports.

(k) It is necessary to reform the composition of the Board of Forestry in order to insure that the Board represents and has expertise in a broader range of values that are affected by logging operations, particularly environmental and wildlife values.

(l) Because the acquisition of ancient forests may result in the layoff or termination of some timber workers, it is desirable to create a program that will compensate and retrain such employees.

Section 4802. Purposes and Intent. It is the intent of the People of California that this Act be construed in light of the following primary objectives.

(a) To acquire and protect the most important ancient forests remaining on private lands and to provide habitat for wildlife species that are dependent upon such forests;

(b) To improve logging practices throughout the state by protecting streams, limiting the use of clearcutting, requiring sustainable forestry practices, reforming the Board of Forestry, and other means provided in this Act,

(c) To retrain and otherwise compensate timber workers who may be adversely affected by this Act;

(d) To provide the maximum protection to the natural environment within the reasonable scope of the statutory language; and

(e) To insure that decisions affecting forests and wildlife are based on the best available biological information.

It is the further intent of the people of California that this Act shall be carried out in the most expeditious manner possible, and all state officials shall implement this Act to the fullest extent of their authority

Article II. Definitions

Section 4803. For the purposes of this chapter and of the Z'berg-Nejedly Forest Practice Act of 1973 the following terms shall be defined as follows

(a) "Ancient forests" means:

(1) forests that contain an average of at least six live trees per acre greater than 200 years of age, which often contain a wide range of tree ages and sizes, large dead standing and fallen trees, and multi-layered canopies, and that are forty or more acres in size, either alone or in conjunction with any contiguous stand, regardless of ownership; or

(2) forests in which one or more dependent wildlife species are present and that are ten or more acres in size, either alone or in conjunction with any contiguous stand, regardless of ownership.

For purposes of this definition, dependent bird species are "present" only in their home and wintering territories, the northern goshawk is "present" only in its breeding territory, and other species are "present" wherever they occur.

(b) "Class I watercourse or lake" means a watercourse or lake which is a domestic water source, which is within three hundred feet upstream of such a source, or which provides habitat for fish.

(c) "Class II watercourse or lake" means a watercourse or lake, other than a Class I watercourse or lake:

(1) Within one thousand feet upstream of a watercourse or lake which provides habitat for fish, excluding direct tributaries to a Class I watercourse or lake which have no aquatic life present, or

(2) Which provides habitat for aquatic species other than fish.

(d) "Clearcutting" means the timber harvest method in which sixty percent or more of the timber volume of an area greater than two and one-half (2½) acres in size is logged at one time. This definition includes some harvest methods commonly referred to as "seed tree" and "shelterwood removal" methods

(e) "Dependent wildlife species" are native species or subspecies of birds, mammals, reptiles, amphibians, insects or arthropods that find optimum habitat for at least part of their life cycle in forests with the structural characteristics described in Section 4803(a)(1), and whose population has declined or is declining in part or all of the state as the result of the logging of such forests. "Dependent wildlife species" include the following species or subspecies: Fisher; Red Tree Vole, including any closely related taxon presently or subsequently segregated from this species; Northern Spotted Owl; California Spotted Owl; Southern Spotted Owl, Flammulated Owl, Marbled Murrelet; Northern Goshawk; Olympic Salamander; Del Norte Salamander; Tailed Frog; Pine Marten, Wolverine; and any other species or subspecies subsequently added to this list pursuant to Section 4806.12(a). Dependent wildlife species are not "game" within the meaning of the California Constitution.

(f) "Emergency sanitation cutting" means logging of diseased or pest-infested timber necessary to control the spread of disease or insect pests to healthy trees.

(g) "Erosion hazard rating" refers to the classification system set forth in regulations implementing the Z'berg-Nejedly Forest Practice Act of 1973.

(h) "Eucalyptus plantation" means a forest which contains ninety (90) percent or more by volume of the genus Eucalyptus and which was established before the effective date of this Act.

(i) "Fiber plantation" means any area planted with trees which was not natural timberland as of 1940.

(j) "Logging road" means any private road used in conducting timber operations which is constructed or reconstructed A "constructed" or "reconstructed" road has any of the following: surfacing, drainage structures, or intentional soil disturbance.

(k) "Mature trees" means trees which have reached or exceeded the age at which maximum mean annual growth, also known as culmination of mean annual increment, occurs on a particular site, using the Scribner log rule measurement or, if not possible, the most nearly equivalent methodology. The age at which trees reach maturity will depend upon site class, timber type, and other site-specific factors.

(l) "Selection method" means a timber harvest method in which individual trees or groups of trees no larger than two and one-half (2½) acres in size are selected for logging in a way that will promote natural regeneration of mature trees, in which a well distributed stand of healthy trees remains following completion of logging operations, and after which the area is composed of trees of various ages, sizes and species.

(m) "Seep" or "spring" means an area, excluding the bed of a watercourse but including the head of a watercourse, where water naturally flows or rises to the surface during much or all of the year, and at which water remains at least within a few feet of the surface throughout the year. The presence of Giant Chain Fern (Woodwardia fimbriata) often indicates the existence of a spring or seep.

(n) "Stand of virgin redwoods" means a forested area one hundred fifty or more acres in size that has never been subject to timber harvesting, in which coast redwoods constitute twenty percent or more of the basal area per acre.

(o) "Timber volume" means the volume of all softwoods and all hardwoods, including both commercial and non-commercial tree species, that are at least 4 inches in diameter at breast height of the largest bole, using the Scribner log rule measurement or, if not possible, the most nearly equivalent methodology.

(p) "Watercourse" means any well-defined channel with distinguishable bed and bank showing evidence of having contained flowing water indicated by deposit of rock, sand, gravel, or soil, including but not limited to a "stream" as defined in Section 4528(f) of the Public Resources Code.

Article III. Forest Practices

Section 4804. The provisions of this article apply to the practice of forestry on privately-owned timberlands and state forests in California.

Section 4804.1. (a) Subject to the provisions of this Section, clearcutting is prohibited in California, and the selection method shall be the only allowable harvest method.

(b) This Section does not apply to timber operations pursuant to a timber harvesting plan approved prior to the effective date of this Act if, prior to the effective date of this Act, substantial liabilities for timber operations have been incurred in good faith and adherence to this Section would cause unreasonable additional expense to the owner or operator

(c) The prohibitions on clearcutting in this Section do not apply to:

(1) The harvest of Christmas trees, Eucalyptus plantations or fiber plantations;

(2) Authorized emergency sanitation cutting;

(3) Salvage of dead trees;

(4) Lands that have been approved for conversion to uses other than growing timber pursuant to Article 9 of the Z'berg-Nejedly Forest Practice Act of 1973;

(5) Fire breaks, fuel breaks and rights-of-way, and

(6) In the Northern and Southern Forest Districts harvesting areas up to 5 acres in size in Lodgepole Pine, Ponderosa Pine and Sierran Mixed Conifer cover types, as defined in the July 1988 assessment and analysis prepared pursuant to Section

4789.3, where the Department of Forestry finds that clearcutting would cause less adverse environmental impacts than the selection method on a particular site.

Provided, however, that exception (3) shall not apply in any ancient forest as defined in Section 4803(a).

(d) Except as provided in subsections (b) and (c)(1)-(5), after the completion of logging operations pursuant to a timber harvesting plan, not more than twenty percent of the area subject to the plan may be in clearings that are greater than ½ acre in size. No cutting or removal of timber in any area subject to a timber harvesting plan may occur more often than every ten years, except where necessary to conduct emergency sanitation cutting or to salvage dead or dying trees. For purposes of this subsection, a "clearing" is an area in which sixty percent or more of the volume of the area is logged at one time.

Section 4804.2. (a) The Board of Forestry shall issue regulations within one year of the effective date of this Act in order to reduce, to the maximum extent feasible, the adverse environmental impacts that may result from the burning of forest residues after logging operations are completed, including decreased soil productivity, increased soil erosion, and contributions to global warming associated with release of smoke. The regulations shall also provide effective protection against the adverse health effects of smoke. After the effective date of such regulations, no burning of forest residues may occur except in compliance with the regulations.

(b) The regulations shall require the Department of Forestry to inspect all sites subject to timber harvesting plans before burning is undertaken. No such burning shall be allowed unless the Department finds that it is necessary to eliminate an unreasonable risk of wildfire or to insure adequate site regeneration and that no alternatives to burning, such as removing fuel from the site or lopping or chipping of fuel on site, are feasible. No such burning may be allowed for the purpose of convenience or improving access to the site for planting.

(c) The regulations shall require the Department to specify permissible conditions for burning, including but not limited to date and time of burning, wind, temperature, humidity and other climatic factors, which will, to the maximum extent feasible, insure that sufficient organic debris and duff remain on the site to retain nutrients and soil productivity, prevent soil erosion, and reduce the cumulative impacts of smoke pollution.

(d) The regulations shall encourage the use of alternatives to burning that will retain nutrients and soil productivity and reduce, to the maximum extent feasible, soil erosion and the release of smoke.

Section 4804.3 The Board of Forestry shall issue regulations within one year of the effective date of this Act which will minimize the damage to the environment caused by logging roads and landings and allow such roads to be used for suppressing fires. The regulations shall insure compliance with the following minimum requirements:

(a) All logging roads shall be adequately maintained by the timberland owner or his or her agent for as long as the land has timber production as a continuing or anticipated use.

(b) Any logging road or landing that will not be used for future timber harvest shall be promptly restored as productive timberland, except where the lands have been approved for conversion to uses other than growing timber pursuant to Article 9 of the Z'berg-Nejedly Forest Practice Act of 1973.

(c) Any contract or other agreement that provides access to a logging road on lands not owned by the timberland owner shall provide a clear delegation of responsibility for compliance with this Section and the regulations.

Section 4804.4. The regulations described in Sections 4804.2 and 4804.3 shall not be subject to Article 6 of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code.

Section 4804.5. (a) Tractor logging shall not be allowed on any of the following:

(1) Slopes over 65 percent.

(2) Slopes over 50 percent except on pre-existing logging roads which do not require reconstruction.

(3) Any area having an extreme erosion hazard rating.

(b) No area which has a high erosion hazard rating may be entered by tractors or other ground disturbing equipment more often than every twenty years in cutting or removing timber.

Section 4804.6. No person may remove any dead tree or coarse woody debris, excluding slash, from any watercourse unless such removal would eliminate barriers to fish migration, reduce the amount of sedimentation entering the watercourse, reduce any hazard to structures or to public health or safety, or reduce the risk of flooding.

Section 4804.7. Notwithstanding Sections 4804.1 and 4805.2, any person who, after the effective date of this Act, does not sell for foreign export whole logs or cants originating within the State, or sell any whole logs or cants originating within the State to any person who sells such products for foreign export, may either

(a) Within five years after the effective date of this Act, use the clearcutting harvest method, subject to all of the following conditions.

(1) The timber operations are not conducted within an ancient forest

(2) Any clearcut is no greater than ten acres in size.

(3) Any clearcut is at least three hundred feet from any other area ten acres or greater in size that has been clearcut in the past forty years on the same ownership and is at least one hundred fifty feet from any property boundary

(4) Not more than twelve and one-half (12½) percent of any area subject to a timber harvesting plan may be clearcut during the five year period

or

(b) Log, during the first ten-year period on the lands subject to a sustained yield plan, a volume of timber thirty percent more than the total volume of timber grown.

Article IV Sustainable Forestry

Section 4805. Within two years of the effective date of this Act, the Board of Forestry shall adopt regulations to implement a sustainable forestry program for private and State lands as established in this Article. The regulations shall not be subject to Article 6 of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code.

Section 4805.1 No timber harvesting plan may be approved, and no timber operations may occur, on or after the effective date of the regulations, unless

(a) a sustained yield plan, prepared by a registered professional forester, has been filed by the timber owner;

(b) the sustained yield plan has been approved by the Director of the Department of Forestry and Fire Protection; and

(c) the timber harvesting plan and timber operations comply with the sustained yield plan.

The regulations shall apply equally to the cutting and sale of timber and other forest products from state forests, as provided in Article 3 of Chapter 9 of Part 2 of Division 4 of the Public Resources Code. The Board shall determine the effective date of the regulations, which shall be not later than 180 days after the regulations are adopted.

Section 4805.2. (a) In any ten-year period on the lands subject to a sustained yield plan, the total volume of timber logged shall not exceed the total volume of timber grown and the volume of mature trees logged shall not exceed the volume of mature trees grown, unless site-specific data demonstrate that logging a greater volume would achieve maximum productivity sooner.

(b) In any ten-year period, when the lands subject to a sustained yield plan do not have maximum productivity, the total volume of timber logged on such lands shall be less than the total volume of timber grown and the volume of mature trees logged shall be less than the volume of mature trees grown, unless site-specific data demonstrate that logging a greater volume would achieve maximum productivity sooner.

(c) For purposes of this Article, "maximum productivity" means that the area subject to a sustained yield plan is producing the maximum growth (timber volume per year) that is sustainable in perpetuity, and that the area contains trees of various ages and sizes, including a sustainable component of mature trees. In determining maximum productivity, trees that have exceeded the age at which maximum mean annual growth occurs may be deemed to be at the age at which maximum mean annual growth occurs. The regulations shall establish guidelines for determining a site's maximum productivity, based on site class, timber type, and other site-specific and general factors, as appropriate.

(d) For purposes of subsections (a) and (b), the first ten-year period shall begin no later than the effective date of this Act, unless no timber harvesting plans are submitted during this period.

Section 4805.3. (a) The implementation period is the time necessary for the lands subject to a sustained yield plan to acquire maximum productivity, while allowing the timber owner to conduct timber operations consistent with this Article. The regulations shall establish a method for timber owners to determine the implementation period for a sustained yield plan based on site class, species composition, and other relevant factors. The implementation period shall not exceed 150 years, or less if feasible, except that where the species in the lands subject to a plan require more than 120 years to reach maturity, based on a weighted average by basal area of the species occupying more than 10 percent of the area, the implementation period may be extended by the amount of time by which the time to reach maturity exceeds 120 years

(b) (1) During the implementation period, the regulations shall allow continued timber operations, including logging of trees that have not reached maturity to the extent consistent with this Article, while encouraging timber owners to allow trees to reach maturity before they are logged so that regular progress is made toward the goal of a stand that has maximum productivity.

(2) After the implementation period ends, the lands subject to the sustained yield plan shall have maximum productivity, with the exception of short-term volume reductions that will occur after any timber operations that are consistent with this Article.

Section 4805.4. Sustained yield plans shall comply with the following requirements:

(a) The plan shall set forth a proposed logging schedule, which may include thinnings and regeneration harvests, that complies with this Article.

(b) The plan shall demonstrate, based on site-specific timber inventory data, growth and yield calculations, timber growth plots, or other necessary data, that the proposed logging schedule complies with this Article.

(c) The plan shall provide that, when the lands subject to the sustained yield plan do not have maximum productivity, the volume of all timber and the volume of mature timber increases regularly during the entire implementation period, with the exception of short-term volume reductions that will occur after any timber operations that are consistent with this Article.

(d) The plan shall be designed to produce, at the end of the implementation period, and sooner if feasible, a forest containing trees of various ages and sizes and a mix of species native to the site.

(e) The timber owner may determine which timberlands or timber rights will be subject to any sustained yield plan, provided that all such lands and rights shall be located within one county The timber owner may elect to file one or more plans for all timberlands or timber rights within any county.

(f) There shall be only one sustained yield plan for an area, irrespective of any changes of ownership, except that a plan covering a larger area may incorporate by reference a plan for a smaller area.

Section 4805.5. The sustained yield plan shall be revised from time to time in order to reflect actual forest conditions or to allow changes in the proposed logging schedule that are consistent with this Article, provided that any such changes must be justified in writing and must comply with all the requirements of this Article. The plan may be revised when some or all of the timber to which it applies is destroyed by wildfire or other natural catastrophe, provided, however, that any dead or dying trees removed from such site shall be charged against the output allowed by the revised plan. If ten percent or more of the timber is so destroyed, the Director of the Department of Forestry and Fire Protection may extend the implementation period for compliance with this Article if necessary in order to allow reasonable use of the lands consistent with the objectives of this Article.

Section 4805.6. Notwithstanding any other provision in this Article, any person who, on the effective date of this Act, owns or controls no more than 5,000 acres of timberlands or timber rights within any district (as described in Section 4531) shall not be required to comply with Section 4805.2 with respect to such lands, but shall otherwise comply with this Article. The regulations may provide simplified rules to allow such persons to comply with this Article without unreasonable cost or delay.

Section 4805.7. Nothing in this Article shall be interpreted to require that trees be logged at any time.

Section 4805.8. (a) The Director shall promptly provide a copy of any sustained yield plan to any person who requests it.

(b) After the regulations are issued, the Director shall prepare and make available to the public a handbook which explains the sustainable forestry program and facilitates compliance with the regulations and this Article.

Section 4805.9. The requirements of this Article shall not apply to the production and harvest of Christmas trees, to eucalyptus plantations, or to fiber plantations.

Article V. Ancient Forest Acquisition and Management

Section 4806. The Wildlife Conservation Board may utilize the eminent domain authority of the State of California to acquire ancient forests pursuant to this Article, and shall utilize such authority whenever necessary to purchase a forest that has been selected for acquisition. Where necessary to protect such forest, the Wildlife Conservation Board shall utilize the procedures for possession prior to judgment specified in Article 3 of Chapter 6 of Title 7 of Part 3 of the Code of Civil Procedure.

Section 4806.1. Before exercising its eminent domain authority, to the extent feasible, the Wildlife Conservation Board shall consider acquiring ancient forests through gifts, purchases, leases, exchanges for other property of like value, transfers of development rights or credits, and purchases of development rights and other interests; provided, however, that the Wildlife Conservation Board shall not acquire any interests in ancient forests less than fee title unless such interests fully protect the ecological integrity of such forests in perpetuity.

Section 4806.2. Lands and interests acquired by the Wildlife Conservation Board pursuant to this Article shall be transferred either to the State Park and Recreation Commission, for management as a state park, state reserve, or state wilderness, or a natural preserve within any such unit, pursuant to Article 1 7 of Chapter 1 of Division 5 of the Public Resources Code, or to the Department of Fish and Game for management as ecological preserves, pursuant to Section 1580 of the Fish and Game Code, notwithstanding the provisions of Section 1582 of that Code; provided, however, that in all cases such lands and interests shall be managed in perpetuity to preserve their integrity and value as ancient forests and as habitat for dependent wildlife species

Section 4806.3. (a) The Wildlife Conservation Board may acquire lands or rights, other than those specified in Section 4806.4, only to the extent necessary to allow the Board to acquire ancient forests at lower cost than through exercise of its eminent domain authority. Notwithstanding Section 4806.2, any lands or rights so acquired may be sold or exchanged for fee title or lesser interests in ancient forests. Any net proceeds from such sale or exchange shall be utilized for the acquisition of ancient forests as specified in this Article.

(b) Any real property acquired pursuant to this Act shall be acquired in compliance with Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code.

Section 4806.4. The Wildlife Conservation Board shall acquire, as expeditiously as possible and in accordance with the Property Acquisition Law:

(a) The Headwaters Forest, as described in Section 4806.10(a).

(b) Stands of virgin redwoods, as defined in Section 4803(n).

(c) Other ancient forests, according to the priorities established pursuant to this Article.

When acquiring an ancient forest, the Board may also acquire contiguous or intermingled lands, the acquisition of which would protect the ecological integrity of the ancient forest or make the area more manageable, or lands or rights necessary to provide reasonable access to the ancient forest. For purposes of this section, "acquire" means either to enter into a binding purchase agreement or to initiate eminent domain proceedings that protects the ecological integrity of such ancient forests. The lands specified in subsections (a) and (b) shall be acquired as quickly as feasible, and no later than November 7, 1991, if at all

possible; provided, however, that the Board shall not delay acquisition of lands specified in subsection (c) while the lands specified in subsections (a) and (b) are being acquired.

Section 4806.5. The Wildlife Conservation Board shall rank ancient forests according to the Board's acquisition priorities, either individually or by category. In determining such priorities, the Board shall make findings with respect to the following factors:

(a) The size of the ancient forest;

(b) The extent to which the forest provides actual or potential habitat for dependent wildlife species, including its importance to populations of such species;

(c) The extent to which the forest has been free of disturbance from roads or timber operations;

(d) The extent to which the forest contributes to biological diversity, including, but not limited to, the extent to which the forest's vegetation types or other features are inadequately represented in existing state or federal preserves, such as wilderness areas and parks;

(e) The extent to which the forest's integrity has been compromised by fragmentation of surrounding landscapes; and

(f) The importance of the forest as a potential biological corridor or habitat island that may facilitate movement or dispersal of wildlife and plants.

In weighing such factors, the Board shall give high priority to acquiring forests 80 acres or larger that have never been logged, and ancient forests 400 acres or larger, unless the Board finds that a particular area does not provide important habitat for dependent wildlife species, that acquiring such an area would not contribute significantly to protection of biological diversity, or that the other factors listed above do not justify acquisition of such area.

Section 4806.6. The Wildlife Conservation Board's acquisition priorities and decisions shall be based solely on the best available biological data and shall not be based on commercial or economic factors, except that the anticipated cost of acquiring a site may be considered in relation to its potential for furthering the purposes of this Act

Section 4806.7. The Wildlife Conservation Board shall comply with the procedures described in this Section when ranking ancient forests pursuant to Section 4806 5. Such ranking shall not be deemed a "regulation" within the meaning of the Administrative Procedure Act

(a) Within 15 months of the effective date of this Act, and not less than annually thereafter until the Ancient Forest Protection Fund terminates, as provided in Section 4807.8, the Board shall:

(1) assemble a record consisting of all information relevant to the factors listed in Sections 4806.4 and 4806 5 which it has gathered or acquired for any ancient forests, including any intermingled and contiguous lands and lands providing access to such forests;

(2) make the findings required by Section 4806 5 and propose a ranking for all such forests concerning which it has information, and

(3) prepare a summary explanation of the rationale for its proposed ranking.

The proposed ranking, findings, and summary explanation shall be mailed to all persons who have requested such information. The record shall be continuously maintained by the Board and shall be made available to the public for inspection and/or copying.

(b) The Board shall accept written comments on its proposed ranking and findings for 60 days from the date the information is made available to the public. Within 60 days of the close of the comment period, the Board shall affirm or modify its findings, reach a final decision on ranking, and prepare a summary explanation of the rationale for its decision. Such information shall be mailed to all persons who submitted written comments and to all others who have requested notice of the decision. The notice shall notify the public of its right to petition the Board for amendment of the established ranking and to seek judicial review of the Board's decision.

(c) Any person may at any time petition the Board for amendment of the established ranking The petition shall be in writing and shall clearly and concisely state why amendment would serve the purpose of this Article, and may provide supporting information. Within 30 days of receipt of any such petition, the Board shall mail a response denying the petition and summarizing its reasons for doing so, or setting a date not later than 90 days from receipt of the petition for initiating the process to consider such amendment. Any such amendment may be adopted only pursuant to the procedures established in subsections (a) and (b).

Section 4806.8. (a) (1) The Department of Fish and Game shall conduct an inventory of the state's private timberlands to identify ancient forests for possible acquisition. The results of such inventory shall be presented in a report not later than one year after the effective date of this Act, and annually thereafter for five years, or until the Ancient Forest Protection Fund terminates as provided in Section 4807.8, whichever is sooner.

(2) The reports shall identify the location of each such ancient forest, including a map and legal description, shall include information relating to the factors set forth in Section 4806.5, and shall contain the Department's recommendations for acquisition priorities; provided, however, that for ancient forests which the Department finds, based on all of the factors set forth in Section 4806.5, to be a low priority for acquisition, the Department may instead describe such forests and its reasons in summary form.

(3) The Department shall first inventory those forests that, based on available information, appear to provide important habitat for dependent wildlife species.

(b) The Department of Fish and Game may conduct all surveys, inventories, studies, or other activities that are reasonably necessary to complete the reports and to formulate recommendations for acquisition priorities. All such activities shall be based on the best available scientific information and shall utilize prevailing scientifically accepted protocols and procedures. The Department may enter onto private lands under reasonable terms and conditions in order to comply with this Section, after adequate notice has been given to the landowner. The Wildlife Conservation Board may request that the Department undertake any studies or obtain any information reasonably necessary to allow the Board to reach a decision on acquisition or acquisition priorities, and the Department shall respond to such requests as expeditiously as possible.

(c) Notwithstanding Article VIII, the actions authorized in this Section shall only be subject to judicial review in the context of a legal challenge to the Board's acquisition priorities or decisions.

Section 4806.9. The Wildlife Conservation Board shall rank and consider for acquisition, pursuant to the process described in this Article, ancient forests referred by the Department of Fish and Game pursuant to Section 4582 71. The Board may consolidate its decisions on several ancient forests, but in all cases the

Board shall reach a decision no later than one year after filing of the timber harvesting plan. The Board may decide: (1) to acquire the forest; (2) not to acquire the forest; or (3) to delay the decision for a year if necessary to obtain additional information regarding the forest or other acquisition priorities; provided, however, that in all cases the Board shall reach a final decision within two years of the filing of the timber harvesting plan.

Section 4806.10. (a) The Wildlife Conservation Board shall immediately acquire the Headwaters Forest, situated in Humboldt Base and Meridian, Township Three North, Range One East, Section 8, W ½ of SW ¼, SE ¼ of SW ¼, SW ¼ of SE ¼; Section 15, SW ¼; Section 16; Section 17, E ½, NW ¼, NE ¼ of SW ¼, E ½ of NW ¼ of SW ¼, E ½ of SE ¼ of SW ¼; Section 20, NE ¼ of NE ¼, N ½ of NW ¼ of NE ¼, SE ¼ of NW ¼ of NE ¼, E ½ of SE ¼ of NE ¼, W ½ of SW ¼ of NE ¼, SE ¼ of NW ¼, E ½ of SE ¼, W ½ of NW ¼ of SE ¼, SE ¼ of NW ¼ of SE ¼, NE ¼ of SW ¼ of SE ¼, E ½ of NE ¼ of SW ¼; Section 21, N ½ of NE ¼, SW ¼ of NE ¼, N ½ of SE ¼ of NE ¼, NW ¼, NW ¼ of NW ¼ of SE ¼, N ½ of NE ¼ of SW ¼, W ½ of SW ¼; Section 22, SW ¼ of NE ¼, W ½ of SE ¼ of NE ¼, SE ¼ of SE ¼ of NE ¼, W ½ of NE ¼ of NW ¼, NW ¼ of NW ¼, SE ¼ of NW ¼, E ½ of SW ¼ of NW ¼, N ½ of SE ¼, SE ¼ of SE ¼, N ½ of SW ¼ of SE ¼, NE ¼ of SW ¼, E ½ of NW ¼ of SW ¼, N ½ of SE ¼ of SW ¼; Section 23, SW ¼ of SW ¼, W ½ of NW ¼ of SW ¼; Section 26, W ½ of NW ¼; Section 27, E ½ of NE ¼, NW ¼ of NE ¼, W ½ of SW ¼ of NE ¼; Section 28, N ½ of NW ¼ of NW ¼; Section 29, NE ¼ of NE ¼ of NE ¼; provided, however, that the Board need not acquire any portions of the Headwaters Forest that, because of logging activities, have little or no value for dependent wildlife species. The Board may also acquire contiguous or intermingled lands, and other lands or rights necessary to provide reasonable access to the Headwaters Forest, as described in Section 4806.4.

(b) The Board shall immediately acquire any stands of virgin redwoods in the Elk River drainage in Humboldt County

Section 4806.11 Notwithstanding any other provision of law, including but not limited to Article 5 of Chapter 4.5 of Division 1 of Title 7 of the Government Code, no timber operations, including but not limited to road construction, shall occur, and no timber harvesting plan authorizing such logging shall be approved, within any stand of virgin redwoods between November 7, 1990, and November 7, 1991, or until the Wildlife Conservation Board decides not to acquire such a stand, whichever is earlier.

Section 4806.12. The Department of Fish and Game may, by regulation:

(a) (1) Add to the list of "dependent wildlife species" if the Department finds, based solely on the best available scientific data, that the species meets the definition in the first sentence of Section 4803(e)

(2) Remove a species from the list of "dependent wildlife species" if the Department finds, based solely on the best available scientific data, that there is compelling evidence that such species does not meet the definition in the first sentence of Section 4803(e).

(b) Establish mitigation measures or informational requirements for timber harvesting plans to protect wildlife, including but not limited to dependent wildlife species, from the adverse effects of timber operations Such rules may apply to particular timber types, tree ages, regions of the State, or other categories of forests. Such requirements may include, but shall not be limited to, information regarding existing numbers and sizes of live trees, snags, and dead and down

wood on the site, and requirements regarding the amount and locations of such features or other structural characteristics that must remain after timber operations are completed.

Section 4806.13. The regulations described in Section 4806.12 shall not be subject to Article 6 of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code

Article VI. Ancient Forest Protection Bonds

Section 4807. There is hereby created within the State Treasury the Ancient Forest Protection Fund, hereinafter "the Fund", which is continuously appropriated for carrying out the purposes of this Article without regard to fiscal years. Except as hereinafter provided, the Fund shall receive all proceeds of general obligation bonds issued pursuant to the provisions of this Article, the proceeds of the sale of timber pursuant to Article VIII of this chapter, and the proceeds of any fines received pursuant to Article VIII of this chapter. Notwithstanding the foregoing provision, proceeds of the sale of said bonds in an amount not to exceed $32 million shall be transferred to the Timber Workers Compensation and Retraining Fund established pursuant to Article VII of this chapter.

Section 4807.1. Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this Article, the Ancient Forest Protection Fund Finance Committee is hereby created. For the purposes of this chapter, the Ancient Forest Protection Fund Finance Committee is the "Committee" as that term is used in the State General Obligation Bond Law. The Committee shall consist of the Controller, the Director of Finance, and the Treasurer, or their designated representatives The Treasurer shall serve as chair person of the committee. A majority of the Committee may act for the Committee

Section 4807 2. For the purpose of adopting resolutions and taking other required action pursuant to this chapter, the Wildlife Conservation Board shall constitute the "Board" as that term is used in the State General Obligation Bond Act

Section 4807 3 At the direction of the Board pursuant to an appropriate resolution, the Committee shall authorize the issuance of general obligation bonds in the total amount of seven hundred forty-two million dollars ($742,000,000), exclusive of refunding bonds, for the purposes specified in this Act. Except as hereinbefore provided, all proceeds from the sale of said bonds shall be deposited into the Ancient Forest Protection Fund When sold, the bonds shall be and constitute a valid and binding obligation of the State of California and a pledge of the full faith and credit of the state for the punctual payment of both principal and interest thereof

Section 4807.4. There shall be collected annually in the same manner and at the same time as other state revenue is collected the sum, in addition to the ordinary revenues of the state, as is required to pay the principal and interest on bonds authorized by this Article. It shall be the duty of all officers charged by law with any duty in regard to the collections of the revenue to do and perform each and every act which is necessary to collect that additional sum.

Section 4807.5. The provisions of the State General Obligation Bond Law (Chapter 4, commencing with Section 16720, of Part 3 of Division 4 of Title 2 of the Government Code) are hereby incorporated into this Article, and the provisions of that law shall be deemed included in this Article as though set out in full herein

Section 4807.6. Money shall be disbursed from the Fund for the purposes of acquiring lands pursuant to Article V of this chapter, of satisfying a final judgment of a court of competent jurisdiction that any provision of this Act or any action taken pursuant to this Act constitutes a taking of private property without just compensation, and of allowing the Wildlife Conservation Board and the Department of Fish and Game to carry out their administrative duties pursuant to this Article and Article V; provided, however, that no more than $32 million may be transferred to the Timber Workers Compensation and Retraining Fund.

Section 4807.7. There shall be transferred into the General Fund in the State Treasury, on the several dates on which funds are remitted pursuant to Section 16676 of the Government Code for the payment of the then maturing principal and interest on the bonds, from the Fund, so far as available therein, amounts equal to all sums so becoming due for principal and interest; if the money so returned on the remittance dates is less than the principal and interest then due and payable, the balance remaining unpaid shall be transferred to the General Fund out of the Fund as soon thereafter as it shall become available, together with interest thereon from the remittance dates until so returned at the same rate as borne by the bonds, compounded semiannually

Section 4807.8. This Fund shall terminate when the Board finds that all proceeds authorized by Section 4807 have been disbursed for the purposes set forth in Section 4807.6, or at the conclusion of the tenth full fiscal year following the effective date of this Act, whichever is sooner, unless extended by a court of competent jurisdiction in resolving litigation brought under, or challenging, this Act; provided that any moneys remaining in the Fund at that time or that are directed to the Fund pursuant to Article VIII of this chapter after that time shall be transferred to the Wildlife Conservation Board, or its successor agency, and used for the purpose of acquiring wildlife habitat in accordance with the Wildlife Conservation Law of 1947 (Chapter 4, commencing with Section 1300 of Division 2 of the Fish and Game Code).

Section 4807.9. The bonds authorized by this Act may be refunded in accordance with Article 6 (commencing with Government Code Section 16780) of the State General Obligation Bond Law. Approval of the authorization of these bonds by the electors includes approval of any bonds issued to refund the bonds originally issued

Section 4807.10. The people of California hereby find and declare that, inasmuch as the proceeds from the sale of bonds authorized by this Act are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitation imposed by that article.

Section 4807.11. It is the intent of the people of California that the bond revenues authorized by this Act shall not be used to displace any existing sources of funds for purposes authorized by this Act.

Article VII. Employment Program

Section 4808. For the purposes of this Article, the following definitions shall apply unless the context indicates otherwise.

(a) "Department" shall mean the Employment Development Department.

(b) "Affected employer" means a corporation, partnership, joint venture, person, or other form of business entity (including a predecessor or successor by purchase, merger, or other form of acquisition), or working portion or division

thereof, which is engaged in the harvest of timber or in related saw mill, plywood, log hauling, or other wood processing operations, and which employs one or more affected employees.

(c) "Affected employee" means a natural person who is either totally or partially laid off or terminated by an affected employer as a direct result of an acquisition of land, or a determination to acquire land, pursuant to the provisions of Article V of this chapter.

(d) "Total layoff" means a calendar month during which an affected employer has made no work available to an affected employee and made no payment to said affected employee for time not worked.

(e) "Partial layoff" means a calendar month during which all pay received by an affected employee from an affected employer is 80% or less than the amount the employee would have received had the employee performed services for the affected employer on a full-time basis.

Section 4808.1. There is hereby created within the State Treasury the Timber Workers Compensation and Retraining Fund, which is continuously appropriated for carrying out the purposes of this article without regard to fiscal years. Within six months of the effective date of this Act, the Fund shall receive the amount of $22 million, to be derived from the proceeds of bonds issued pursuant to Article VI of this chapter. Upon the issuance of a finding by the Department that additional funds are needed to achieve the purposes of this Article, an additional $10 million dollars from the proceeds of the sale of said bonds shall be transferred to the fund from the Ancient Forest Protection Fund established pursuant to Article VII of this chapter. Said finding shall be made, if at all, not later than eighteen months after the effective date of this Act

Section 4808.2. Money shall be disbursed from the Timber Workers Compensation and Retraining Fund for the purpose of providing compensation to affected employees during periods of total layoff, partial layoff, or for retraining, or for other purposes consistent with this Article.

Section 4808.3. Upon the conclusion of the fifth full fiscal year following the effective date of this Act, and notwithstanding any other provision of law pertaining to the termination of special funds, unexpended monies remaining in the Timber Workers Compensation and Retraining Fund shall be transferred to the Ancient Forest Protection Fund created pursuant to Article VI of this Act.

Section 4808 4 Not later than six months after the effective date of this Act, the Legislature shall establish a program to compensate affected employees during periods of total or partial layoff and, where necessary, to retrain affected employees for alternative employment. Said program shall be administered by the Employment Development Department, and shall achieve the following goals:

(a) The program shall provide reasonable and fair compensation for all affected employees during periods of total layoff, partial layoff, or following termination. In determining the amount necessary to provide reasonable and fair compensation for a particular employee, the Department shall take into consideration the affected employee's level of compensation prior to layoff or termination, the affected employee's length of service and seniority, the terms of any applicable collective bargaining agreement, and such other matters as the Department shall deem appropriate. The rate of any such compensation, in combination with any unemployment benefits available to an affected employee and any salary earned, shall not exceed the affected employee's rate of compensation prior to layoff or termination. The total compensation available to

any affected employee shall be limited to the employee's actual compensation during the year prior to layoff or termination.

(b) The program shall require the Department to assign its highest priority to assisting affected employees to find alternative employment.

(c) The program shall provide for necessary retraining of affected employees and may, as necessary, provide incentive bonuses for new employers of affected employees during periods of retraining.

(d) The program shall require the Department, to the extent practicable, to find alternative employment for affected employees in occupations emphasizing timber stand improvement, manual conifer release, watershed repair, erosion control, and other occupations which improve and enhance forests and wildlife habitat.

(e) The program shall not discriminate in employment on the basis of age, sex, race, medical condition, physical handicap, creed, color, religion, sexual preference, marital status, or national or ethnic origin, and shall otherwise fully comply with the California Fair Employment and Housing Act.

Article VIII. Penalties and Enforcement

Section 4809 Any person may commence an action against any government agency charged with responsibilities pursuant to this chapter or Chapter 8 of Part 2 for a writ of mandate pursuant to Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure to compel said agency to carry out any duty imposed upon it under the provisions of this chapter. Notwithstanding any other provision of law, particularly Section 529 of the Code of Civil Procedure, the plaintiff in such an action shall not be compelled to post more than a nominal bond as a condition of obtaining injunctive relief. Notwithstanding any other provision of law, any person shall have standing to intervene in support of this Act, or any portion of this Act, or the application thereof, in any judicial proceeding in which this Act or any portion thereof is challenged on constitutional grounds; however, notwithstanding any other provision of law, no such intervening party shall be subject to liability for any attorneys' fees or costs awarded to any prevailing party in such action.

Section 4809.1. (a) Any action or proceeding to attack, review, set aside, void or annul a determination, finding, or decision, including a failure to act, of any public agency, made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken and discretion in the determination of facts is vested in the agency, on the grounds of noncompliance with the provisions of this Act, shall be in accordance with Section 1094.5 of the Code of Civil Procedure.

(b) In any action other than one under subsection (a), the inquiry shall extend only to whether there was a prejudicial abuse of discretion Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.

Section 4809.2 Upon motion, a court shall award attorneys' fees and reasonable litigation expenses, including expert witness and consultant fees, to a prevailing party that meets the requirements of Section 1021.5 of the Code of Civil Procedure.

Section 4809.3. (a) No action may be brought pursuant to Section 4809.1(a) unless the alleged grounds for noncompliance with this Act were presented to the public agency orally or in writing by any person.

(b) No person shall maintain an action or proceeding pursuant to Section 4809.1(b) unless that person objected to the approval of the project orally or in writing.

(c) This section does not preclude any organization formed after the challenged determination or decision from maintaining an action pursuant to Section 4809.1(b) if a member of that organization has complied with subsection (b).

(d) This section does not apply to the Attorney General.

(e) This section does not apply when there was no public hearing or other opportunity for members of the public to raise objections prior to the approval of the project or when the public agency failed to give the notice required by law.

Section 4809.4 (a) In addition to any other remedy available at law or in equity, any provision of this Act that requires or forbids a private party to take or refrain from action directly affecting the environment or human health may be enforced pursuant to this section. Any person, including any governmental agency, who has violated, is violating, or is threatening to violate any such provision may be enjoined, and a civil penalty may be imposed as provided in Section 4809.5(a), in any court of competent jurisdiction.

(b) An action pursuant to this section may be brought by the Attorney General in the name of the People of the State of California, or by any district attorney, or by any city attorney of a city or city and county having a population in excess of 750,000, or with the consent of the district attorney by any city attorney or city prosecutor.

(c) An action pursuant to this section may be brought by any person acting in the public interest if:

(1) the action is commenced more than sixty days after the person has given written notice of the violation which is the subject of the action to the Attorney General and the district attorney and any city attorney in whose jurisdiction the violation is alleged to occur, and to the alleged violator, and

(2) none of such public officials has commenced and is diligently prosecuting an action against such violation.

The limitations specified in this subsection do not apply to an action brought against a government agency or official.

(d) If a public official undertakes a prosecution pursuant to the written notice described in subdivision (c)(1), before the noticing party brings an action under subdivision (c), the person who gave the notice shall be permitted to intervene in the action on such terms as the court finds appropriate.

(e) In any civil action brought pursuant to this section any prevailing plaintiff and intervenor shall be entitled to share in an appropriate portion of any civil penalty imposed. The court shall divide the portion of civil penalties awarded, taking into account the respective contributions of the parties to the success of the action. An intervenor may also be awarded reasonable attorneys' fees and litigation expenses upon a finding by the court that the efforts of the intervenor substantially assisted the court in reaching a just resolution of the case.

Section 4809.5 (a) In addition to any other penalty imposed by law, any person who conducts, orders or directs timber operations in violation of any provision of this Act shall be subject to a civil penalty in an amount not to exceed fifty thousand dollars ($50,000) for each day of violation. In assessing the amount of the fine, the court shall take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the nature and persistence of the violation, the length of time over which the

violation has occurred, and the corrective action, if any, taken by the violator. In addition to any other penalties imposed by law, the court may seize and confiscate the proceeds from the sale of illegally harvested trees. If said trees have not yet been sold, the court may order said trees confiscated and sold. The proceeds of the sale of trees pursuant to this subdivision shall be deposited into the Ancient Forest Protection Fund created pursuant to Article VI of this chapter.

(b) For any violation of this Act not specified in subsection (a), and in addition to any other penalty provided by law, a civil penalty may be administratively imposed by the Department of Fish and Game or the Department of Forestry and Fire Protection in an amount which shall not be less than five thousand dollars ($5,000), nor more than ten thousand dollars ($10,000), for each violation of a separate provision, or for continuing violations for each day that the violation continues. Moneys recovered pursuant to this section shall be deposited into the Ancient Forest Protection Fund.

Section 4809.6. It shall be a misdemeanor punishable by a fine not to exceed one thousand dollars ($1,000) or by imprisonment in county jail for a period not to exceed six months, or by both such fine and imprisonment, to willfully resist, delay or obstruct any person or agency charged with the responsibility under this Act to inspect, survey, or inventory lands In the event of a continuing violation, each day during which the violation shall continue shall constitute a separate violation.

Section Three. Sections 730, 731, 731.1, 732, 733 and 736 of the Public Resources Code are hereby amended to read as follows:

Section 730. There is in the department a State Board of Forestry. ~~consisting of nine members appointed by the Governor,~~ *Beginning on January 15, 1991, the Board shall consist of nine members, five of whom shall be appointed by the Governor and four by the Lieutenant Governor,* subject to confirmation by the Senate.

Section 731. All members of the board shall be appointed and shall be selected and approved for appointment on the basis of their educational and professional qualifications and their general knowledge of, interest in, and experience with, problems relating to watershed management (including hydrology and soil science), forest management practices, fish and wildlife, ~~range management,~~ *mycology,* forest economics, ~~or~~ land use planning, *or Native American forest uses.* ~~Five members shall be selected from the general public, three members shall be selected from the forest products industry, and one member shall be selected from the range livestock industry.~~ *Members of the Board meeting the foregoing qualifications shall be appointed as follows:*

(a) The Governor shall appoint two members from the general public; one member from among the officials or employees of an incorporated organization dedicated to preserving the natural environment; one member from among the officials or employees of an incorporated organization dedicated to wildlife preservation; and one member from the forestry or forest products industry.

(b) The Lieutenant Governor shall appoint one member from the general public; one member from among the county supervisors of any of the eight leading timber producing counties, as determined by the State Board of Equalization based on timber tax revenues and federal in-lieu payments, or among the county supervisors or planning commissioners of any county with special forestry rules pursuant to Sections 4516.5 or 4516.8; one member from among timberland owners who own 640 acres or less of timberland; and one

member from among the officials or employees of an incorporated organization one of the purposes of which is the acquisition and preservation of land for plant or wildlife habitat.

(c) ~~At no time shall a majority of the members, nor any of the members selected from the general public, be persons with a direct personal financial interest, within the meaning of Section 1120 of the Government Code, in timberlands. All members of the board shall represent the general public interest.~~ *Appointment of Board members meeting the foregoing qualifications shall occur on January 15, 1991.*

Section 731.1. The Legislature declares that some individuals appointed as members of the State Board of Forestry must be chosen from backgrounds in the forest products *industry* ~~and range livestock industries~~ in order to represent and further the interests of *that industry* ~~those industries~~ and that such representation and furtherance serves the general public interest, as specified in Section 731. Accordingly, the Legislature finds that, for purposes of persons who hold such office, the forest products ~~and the range livestock industries are~~ *industry is* tantamount to and ~~constitute~~ *constitutes* the public generally within the meaning of Section 87103 of the Government Code in those decisions affecting the forest products ~~or range livestock industries~~ *industry*, unless the results of their actions taken as board members have a material financial effect on them distinguishable from their effect on other members of ~~their respective industries~~ *the forest products industry* generally.

Section 732. Each member of the board shall hold office for four years from the expiration of the term of his or her predecessor, *except as provided in Section 733*. Vacancies shall be immediately filled by the Governor *or Lieutenant Governor, whoever appointed the member whose seat expired or became vacant, as provided in Section 731*.

Section 733. The members first appointed to the board *after enactment of the Forest and Wildlife Protection and Bond Act of 1990* shall classify themselves by lot so that the term of three members shall expire January 15, ~~1975~~ *1993*; the term of two members shall expire January 15, ~~1976~~ *1994*, the term of two members shall expire January 15, ~~1977~~ *1995*, and the term of two members shall expire January 15, ~~1978~~ *1996*, except that no member, *with the exception of the initial term of the two members whose terms shall expire January 15, 1996,* shall serve for a term in excess of four years without being reappointed and confirmed by the Senate as provided in this article.

Section 736. The board shall maintain its headquarters in Sacramento and shall hold meetings at such times and at such places as shall be determined by it. Five members of the board shall constitute a quorum for the purpose of transacting any business of the board. A majority affirmative vote of the total authorized membership of the board shall be necessary to adopt, amend, or repeal rules and regulations of the board adopted pursuant to Article 4 (commencing with Section 4551) of Chapter 8 of Part 2 of Division 4 *or pursuant to Articles 3 and 4 of Chapter 1 of Part 2.7 of Division 4*. All meetings of the board shall be open to the public.

Section Four. Sections 731.2 and 746 are hereby added to the Public Resources Code to read as follows:

Section 731.2. (a) All members of the board shall represent the general public interest. No member of the board appointed or reappointed after the effective date of the Forest and Wildlife Protection and Bond Act of 1990, except

the member from the forestry or forest products industry and the member from among timberland owners who own 640 acres or less of timberland:

(1) may have a financial interest in timberlands or the forestry or the forest products industry;

(2) may have had such an interest for at least five years prior to the member's date of appointment to the board; and

(3) may acquire such an interest for at least three years after his or her membership on the board has ended.

(b) For purposes of this Section, "financial interest" means any interest that could disqualify the member, pursuant to Article 1 (commencing with Section 87100) of Chapter 7 of Title 9 of the Government Code, from any decision that the board has authority to make.

Section 746. If the initiative measure entitled the Environmental Protection Act of 1990 is enacted during the General Election of 1990, and the Environmental Advocate referred to in Title Six of that Act is elected in the General Election of 1992 or thereafter, then all authority or responsibilities assigned to the Lieutenant Governor in this Article shall be exercised by the Environmental Advocate.

Section Five Section 4513 of the Public Resources Code is hereby amended to read as follows:

Section 4513. It is the intent of the ~~Legislature~~ *People* to create and maintain an effective and comprehensive system of regulation and use of all timberlands so as to assure that:

(a) Where feasible, the productivity of timberlands is restored, enhanced, and maintained.

(b) ~~The goal of maximum sustained production of high-quality timber products is achieved while giving consideration to values relating to recreation, watershed, wildlife, range and forage, fisheries, regional economic vitality, employment, and aesthetic enjoyment.~~ *The goal of promoting and maintaining forests that support healthy watersheds, provide habitat for wildlife and fish, and contribute to biological diversity is achieved while providing for the maximum sustained production of high-quality timber products consistent with this goal.*

Section Six. Section 4514.3 of the Public Resources Code is hereby repealed.

~~4514.3. (a) Timber operations conducted pursuant to this chapter are exempt from the waste discharge requirements of Article 4 (commencing with Section 13260) of Chapter 4 of Division 7 of the Water Code; provided, that there is a certification by the federal Environmental Protection Agency that the provisions of this chapter constitute best management practices for silviculture pursuant to Section 208 of the Federal Water Pollution Control Act.~~

~~(b) The exemption contained in subdivision (a) shall not apply when any of the following occurs:~~

~~(1) The board requests issuance of waste discharge requirements.~~

~~(2) There has been a finding by the State Water Resources Control Board that the board has failed to maintain a water quality regulatory process consistent with the certification required under subdivision (a).~~

~~(3) After monitoring the water quality impacts from timber operations conducted in compliance with this chapter, there has been a finding by the State Water Resources Control Board that compliance with best management practices would result in less water quality protection than required in water quality control plans approved pursuant to Section 13245 of the Water Code.~~

Section Seven. Section 4521 of the Public Resources Code is hereby amended to read as follows:

Section 4521. Unless the context otherwise requires, the definitions set forth in this article *and in Article II of Chapter 1 of Part 2.7, commencing with Section 4800,* shall govern the construction of this chapter *and of Chapter 1 of Part 2.7*.

Section Eight. Section 4562.8 is hereby added to the Public Resources Code to read:

Section 4562.8. In addition to the rules provided for in Section 4562.7, all timber operations shall comply with the following minimum requirements:

(a) No timber operations may occur that would have a significant adverse effect on water quality, water temperature, fish habitat, or other beneficial uses of water, or that would cause damage to soil or water resources in violation of state or federal law.

(b) Except where necessary to construct a watercourse crossing, within 100 feet from any Class I watercourse or lake or within 50 feet of any Class II watercourse or lake:

(1) Not more than ten percent, by volume, of all trees may be removed in any twenty year period.

(2) No tractors or other soil-disturbing equipment may be used for the purpose of conducting timber operations

Notwithstanding subsection (b)(1), in order to retain stream canopy and prevent increases in stream temperature, no trees may be removed within 50 feet of any Class I watercourse or lake except where necessary to construct a watercourse crossing For purposes of this subsection, distances shall be measured horizontally from the bankfull elevation, defined as the elevation of the one and one-half (1½) year recurrence interval flow of the watercourse.

(c) No landings may be constructed or reconstructed in, and no logs may be yarded into, any watercourse or lake

(d) No timber operations may occur and no equipment may be used or placed within sixty (60) feet of the periphery of any seep or spring, or that would reduce existing canopy closure for such seep or spring.

Section Nine. Section 4581 of the Public Resources Code is hereby amended to read as follows:

Section 4581. No person shall conduct timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted for such operations to the department pursuant to this article. Such plan shall be required in addition to the license required in Section 4571. *No timber operations may be conducted pursuant to a timber harvesting plan except under the supervision of a registered professional forester. The registered professional forester shall assure that timber operations comply with the plan and with all applicable legal requirements.*

Section Ten. Section 4582 of the Public Resources Code is hereby amended to read as follows

Section 4582. The timber harvesting plan shall be filed with the department in writing by a person who owns, leases, or otherwise controls or operates on all or any portion of any timberland and who plans to harvest the timber thereon. If the person who files the plan is not the owner of the timberland, the person filing the plan shall notify the timberland owner by certified mail that the plan has been submitted and shall certify that mailing to the department. The plan shall be a public record and shall include all of the following information:

(a) The name and address of the timber owner.

(b) The name and address of the timber operator.

(c) A description of the land on which the work is proposed to be done, including a United States Geological Survey quadrangle map or equivalent indicating the location of all streams, the location of all proposed and existing logging truck roads, and indicating boundaries of all site I classification timberlands to be stocked in accordance with subdivision (b) of Section 4561 and any other site classifications if the board establishes specific minimum stocking standards for other site classifications.

(d) A description of the silvicultural methods to be applied, including the type of logging equipment to be used.

(e) An outline of the methods to be used to avoid ~~excessive accelerated~~ erosion from timber operations ~~to be conducted within the proximity of a stream~~.

(f) Special provisions, if any, to protect any unique *fragile, or sensitive areas, including native American cultural sites,* ~~area~~ within the area of timber operations.

(g) The expected dates of commencement and completion of timber operations.

(h) A certification by the registered professional forester preparing the plan that he or she ~~or a designee~~ has personally inspected the plan area.

(i) *Any studies, research, or other site-specific information regarding the existence of dependent wildlife species, as defined in Section 4803(e), in the area subject to the plan.*

(j) The total volume of timber, and the total volume of mature timber, that will be logged.

(k) Any other information the board provides by regulation to meet its rules and the standards of this chapter *and Chapter 1 of Part 2.7*.

Section Eleven. Section 4582.7 of the Public Resources Code is amended to read:

Section 4582.7. The director shall have *60* ~~15 days from the date the initial inspection is completed or, in the event the director determines that the inspection need not be made, 15~~ days from the date of filing, ~~as specified in Section 4604,~~ or a longer period mutually agreed upon by the director and the person submitting the timber harvesting plan, to review the plan ~~and take public comments. After the initial review and public comment period has ended, the director shall have up to 10 working days, or a longer period mutually agreed upon by the director and the person submitting the plan, to review the public input, to consider recommendations and mitigation measures of other agencies, to respond in writing to the issues raised, and~~ to determine if ~~the plan~~ *it* is in conformance with *all legal requirements* ~~the rules and regulations of the board and with this chapter~~. If the director determines that the plan is not in conformance with *all legal requirements* ~~the rules and regulations of the board or with this chapter~~, the director shall return the plan, stating his or her reasons ~~in writing,~~ and advising the person submitting the plan of the person's right to a hearing before the board ~~, and timber operations shall not commence~~. A person to whom a plan is returned may, within 10 days from the receipt of the plan, request of the board a public hearing before the board. The board shall schedule a public hearing to review the plan to determine if it is in conformance with *all legal requirements* ~~the rules and regulations of the board and this chapter. Timber operations shall await board approval of the plan~~. Board action shall occur within ~~30~~ *45* days from the filing of the appeal, or a longer period mutually agreed upon by the board and the person filing the appeal. If the plan is not approved on

appeal to the board, the plan may be found to be in conformance by the director within 10 days of board action, provided the plan is brought into full conformance with *all legal requirements* ~~the rules and regulations of the board and this chapter. If the director does not act within 25 days, or a longer period mutually agreed upon by the director and the person submitting the timber harvesting plan, timber operations may commence pursuant to the plan, and all provisions of the plan shall be followed as provided in this chapter.~~ *Final approval of the plan by the director or the board shall be accompanied by a response to significant environmental points raised during the review process No timber operations of any kind, including but not limited to road construction, may commence prior to thirty (30) days after final approval of the plan by the director or the board.*

Section Twelve. Sections 4582.71 through 4582.76, inclusive, are hereby added to the Public Resources Code as follows:

Section 4582.71. (a) The Department of Fish and Game shall inspect the area in which timber operations are to be conducted and shall determine, within the 60 day review period, whether the timber harvesting plan proposes any timber operations within an ancient forest, as defined in Section 4803(a). The Department shall also identify any seeps, springs, wetlands, or other habitats that may be sensitive to timber operations. If the person submitting the plan refuses to allow the Department reasonable access to the property to make such an inspection, the plan shall be denied.

(b) (1) Notwithstanding Article 5 of Chapter 4.5 of Division 1 of Title 7 of the Government Code or other applicable laws, if the Department determines that the plan proposes timber operations within an ancient forest, the timber harvesting plan review process shall be suspended, and the ancient forest shall be referred to the Wildlife Conservation Board to be considered for acquisition pursuant to Section 4806.

(2) Subsection (1) shall not apply if the Department determines, in writing, that an ancient forest would be a low priority for acquisition, based on all of the factors set forth in Section 4806.5. Such a determination, and the reasons therefor, shall be included in a response to significant environmental points raised

Section 4582.72. If the Wildlife Conservation Board decides not to acquire an ancient forest referred pursuant to Section 4582 71(b)(1), the director shall proceed to review the timber harvesting plan pursuant to this Article; provided, however, that the full 60 day review period specified in Section 4582.7 shall recommence on the date of the Wildlife Conservation Board's decision.

Section 4582.73 The Department of Fish and Game shall review any timber harvesting plan that proposes timber operations within an ancient forest to determine possible adverse impacts on dependent wildlife species, as defined in Section 4803(e). This authority supplements, and does not supersede, the Department of Fish and Game's existing authority to review timber harvesting plans. The Department of Fish and Game may conduct site inspections or studies in order to exercise its authority under this Section.

Section 4582 74. In reviewing timber harvesting plans the Department of Fish and Game may recommend mitigation measures that, based on the best available biological data, are reasonably necessary in order to prevent or reduce possible harm to wildlife, including but not limited to dependent wildlife species, or to establish potential habitat for such species. Such mitigation measures may include, but are not limited to, site-specific requirements that live trees, snags, or

dead and down wood be retained on the site, or general requirements established pursuant to Section 4806.12(b). Any plan that fails to incorporate such mitigation measures shall not be approved.

Section 4582.76. Sections 4582.71(b) and 4582.72 shall become inoperative when the Ancient Forest Protection Fund terminates, as provided in Section 4807.8.

Section Thirteen. Section 4582.75 of the Public Resources Code is hereby repealed.

~~4582.75. The rules adopted by the board shall be the only criteria employed by the director when reviewing timber harvesting plans pursuant to Section 4582.7.~~

Section Fourteen. Section 4582.9 is hereby added to the Public Resources Code to read as follows:

Section 4582.9. Fees. Within six months of the effective date of this Act, the Department of Forestry and Fire Protection, the Board of Forestry, the Department of Fish and Game, and the Regional Water Quality Control Boards shall adopt fee schedules to cover their reasonable program costs in reviewing timber harvesting plans or taking any other action required by this chapter or Chapter 1 of Part 2.7 pertaining to the review of a timber harvesting plan. Every person submitting a timber harvesting plan shall pay the fees imposed by said schedules to such agencies. Fees shall increase in proportion to both the timber volume proposed to be removed and to the acreage of land upon which timber is proposed to be harvested.

Section Fifteen. Section 4583.5 of the Public Resources Code is hereby amended to read as follows:

Section 4583.5. If the board finds that the registered professional forester has made any material misstatement in the filing of any timber harvesting plan, *sustained yield plan* or report under this chapter *or Chapter 1 of Part 2.7, or has failed to comply with Section 4581,* it shall take disciplinary action against him *or her* as provided under Section 775.

Section Sixteen. Section 4650.1 of the Public Resources Code is amended to read:

Section 4650.1. *(a)* Notwithstanding any other provision of law, timber from state forests shall not be sold to any primary manufacturer, or to any person for resale to a primary manufacturer, who ~~makes~~ *does either of the following:*

(1) ~~use of such~~ *Uses that* timber at any plant not located within the United States, unless it is sawn on four sides to dimensions not greater than 4 inches by 12 inches.

(2) Sells any logs harvested from private timberlands in California for foreign export or processes those logs at manufacturing facilities located outside the United States.

(b) Any purchaser of timber from state forests who makes use of ~~such~~ timber in violation of ~~this section~~ *paragraph (1) of subdivision (a)* ~~shall be~~ *is* prohibited from purchasing state forest timber for a period of five years and may have his *or her* license suspended for a period of up to six months.

(c) The department may adopt appropriate regulations to prevent the substitution of timber from state forests for timber exported from private timberlands.

Section Seventeen. Section 10295.5 is added to the Public Contract Code, to read:

Section 10295.5. (a) The State of California shall not purchase lumber or other forest products from any person or corporation, or from any manufacturer who obtains timber or other forest products from any person or corporation,

which sells logs harvested within the state for foreign export or processes timber harvested within the state at facilities located outside of the United States.

(b) The State of California shall not enter into any contract, the performance of which requires any contractor thereto to purchase lumber or other forest products, unless such contract provides that such contractor shall not purchase lumber or other forest products from any person or corporation, or from any manufacturer who obtains timber or other forest products from any person or corporation, which sells logs harvested within the State for foreign export or processes timber harvested within the state at facilities located outside of the United States.

(c) The Department of General Services shall revise its procedures and procurement specifications for state purchases of lumber and other forest products to ensure compliance with this Section

Section Eighteen. Section 12650.1 is hereby added to the Government Code, to read:

Section 12650.1 The term "services," as used in Section 12650(a), is defined to include a request for the exercise of governmental authority, such as the issuance, continuation, or approval of a permit, including but not limited to the approval of a timber harvesting plan pursuant to Section 4582 7 of the Public Resources Code.

Section Nineteen. Liberal Interpretation. The provisions of this Act shall be liberally interpreted in order to give effect to its purposes.

Section Twenty. Severability. If any provision of this Act or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Act which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Act are severable.

Section Twenty-One. Existing Laws and Regulations. Nothing in this Act shall be interpreted to affect regulations adopted pursuant to Sections 4516, 4516.5, and 4516.8 of the Public Resources Code that are stricter than the minimum standards set forth or authorized in this Act.

Section Twenty-Two. Conflicting Law. In the event that this measure and another measure or measures which would in whole or in part affect forest practices or authorize issuance of bonds for the purpose of acquiring ancient forests or redwoods appear on the ballot at the election of November 6, 1990, and this measure receives a greater number of affirmative votes than said other measures, proceeds of any bond sale authorized by said other measure for the purpose of acquiring ancient forests or redwoods shall be deposited into the Ancient Forest Protection Fund created in Article VI of Section Two of this measure, and this measure shall prevail to the extent of any conflict between the measures. In the event that said other measure or measures shall receive a greater number of affirmative votes than this measure, the provisions of this measure take effect to the extent permitted by applicable law. This measure is inconsistent with all of the terms of the Global Warming and Clearcutting Reduction, Wildlife Protection and Reforestation Act of 1990 and the Reforestation, Wildlife and Timber Management Act of 1990. If this initiative and either of said measures pass by majorities voting thereon and this measure receives a greater number of affirmative votes than said other measures, then said other measures shall be of no force and effect.

Section Twenty-Three. Amendment. This Act may be amended by statute, passed in each house by roll-call vote entered into the journal, two-thirds of the

membership concurring, and signed by the Governor, if at least twelve days prior to passage in each house the bill in its final form has been distributed to the news media and to every person who has requested that copies of such legislation be sent to him or her; provided, however, that any such amendment shall further the purposes and intent of this Act; and further provided that the Legislature may not reallocate any funds authorized by this Act or amend, revoke, or repeal Article VIII of Chapter 1 of Part 2.7 of Division 4 of the Public Resources Code in any respect.

Number on ballot

133. **Drug Enforcement and Prevention. Taxes. Prison Terms.**

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED LAW

SECTION 1. (a) This measure shall be known and may be cited as the Safe Streets Act of 1990.

(b) It is the intent of the people, through the adoption of the California Safe Streets Act of 1990, to ensure all of the following:

(1) Repeat violent offenders and drug criminals serve out their full sentences.

(2) Law enforcement has the capability to reduce drug-related crime.

(3) Children are kept from entering the world of drug abuse.

SEC. 2. The people find and declare all of the following:

(a) The number of drug-related major crimes in California is increasing every year, reflecting the growing impact of the drug crisis and the fact that reducing illegal drug activity is an integral part of the effort to reduce crime.

(b) Many major crimes are committed by repeat offenders who have been released from prison before they serve their full sentences.

(c) Federal assistance in the war on drugs has fallen far behind the increased need.

(d) Drug abuse costs California society at least six billion dollars ($6,000,000,000) a year.

(e) Eleven percent of babies born in the United States in 1988 were exposed to illegal drugs during the mother's pregnancy.

(f) Drug use and violent crime are closely related, as evidenced by the finding that more than half of those arrested for serious crimes in 14 major cities, and who volunteered for drug testing, are found to be drug users.

(g) Drug-related absenteeism and medical expenses cost businesses about 3 percent of their payroll.

(h) Thousands of transactions involving illegal drugs occur in the open because there are not enough law enforcement personnel to establish a presence.

(i) A successful attempt to fight the war on drugs must be comprehensive, guaranteeing punishment for those who violate the law, and protecting children before they become involved with drugs.

SEC. 3. Division 10.7 (commencing with Section 11999) is added to the Health and Safety Code, to read:

DIVISION 10.7. SAFE STREETS FUND

11999. (a) There is in the Treasury the Safe Streets Fund, which is continuously appropriated, without regard to fiscal years, to the Controller, for allocation as specified in this division.

(b) Money appropriated pursuant to subdivision (a) shall be subject to all of the following requirements:

(1) It shall be used only for the purposes specified in this section.

(2) It shall not be used to supplant current levels of funding for existing programs, plus normal cost-of-living increases, on the date the measure adding this section to the Health and Safety Code is adopted by the voters.

(3) It shall be used only to supplement current and future state funding levels appropriated from sources other than this section.

(4) It shall not be used as part of the Special Fund for Economic Uncertainties or any other reserves.

(c) Any state or local government entity receiving funds through this section shall maintain a level of financial support for a program funded under this division which is not less than previous expenditures in accordance with standards set by any entity allocating funds pursuant to this division, which, for purposes of this subdivision, shall include the Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, and the Secretary of Health and Welfare, as appropriate.

11999.1. Funds allocated to the fund and any of its accounts pursuant to this division shall not revert to the General Fund.

11999.2. Pursuant to Section 4 of Article XIII B of the California Constitution, the state appropriations limits established by Article XIII B thereof shall be adjusted to include the appropriations made by this division for the four-year period commencing July 1, 1991

11999.3. (a) There is in the fund the Anti-Drug Law Enforcement Account.

(b) Forty percent of any money received by the fund shall be transferred to the Anti-Drug Law Enforcement Account

(c) Money in the Anti-Drug Law Enforcement Account shall be allocated in the following manner:

(1) Ninety percent shall be allocated to the Attorney General for distribution to local law enforcement agencies of cities, cities and counties, and counties, for personnel, equipment, and activities related to street level law enforcement. These funds shall also be used to support community organizations attempting to fight crime and drugs. These funds shall be distributed pursuant to a formula developed by the Attorney General, in consultation with local law enforcement officials from throughout the state, which takes into account the following factors:

(A) Population

(B) Gang activity.

(C) Property crime.

(D) Demographics.

(E) Local drug seizures.

(F) Rates of drug-related arrests and convictions.

(G) Other factors determined by the Attorney General to be relevant to those anti-drug activities described in this section.

(2) Five percent shall be allocated to the Attorney General for distribution to district attorneys' offices to increase their prosecutorial capabilities. The funds shall be distributed pursuant to a formula developed by the Attorney General, in consultation with the district attorneys throughout the state, which takes into account those factors listed in paragraph (1).

(3) Five percent shall be allocated to the Judicial Council to increase the ability of the courts to process drug-related cases. The funds shall be used to fund

new judgeships and their associated costs. Funds allocated pursuant to this subparagraph which are not used for new judgeships at the end of the fiscal year shall be allocated by the Judicial Council, on a grant basis, to counties for programs which will substantially contribute to the resolution of drug-related cases.

11999.4. (a) There is in the fund the Anti-Drug Education Account

(b) Forty-two percent of any money received by the fund shall be transferred to the Anti-Drug Education Account, which shall be distributed to the Superintendent of Public Instruction, for allocation as follows.

(1) Twenty-five percent of funds in the account shall be allocated to schools for anti-drug education and counseling programs, including peer counseling programs, which may be conducted during or after normal school hours. All school districts and county offices of education shall provide age-appropriate anti-drug instruction in grades K to 12, inclusive, in compliance with guidelines established by the Superintendent of Public Instruction. Funds shall be allocated pursuant to this paragraph pursuant to the following requirements:

(A) Seventy percent shall be allocated annually to eligible school districts and county offices of education in equal amounts per unit of average daily attendance. For purposes of this subdivision, the Superintendent of Public Instruction shall use annual average daily attendance reported for the fiscal year immediately prior to the year of allocation. No school district shall be eligible to receive funds pursuant to this subdivision until the appropriate county superintendent of schools has certified to the Superintendent of Public Instruction that the local educational agency's program is in accordance with the guidelines established by the Superintendent of Public Instruction.

(B) Thirty percent shall be allocated to school districts or county offices of education for schools, which, as determined by the Superintendent of Public Instruction, require the funds due to the high intensity of drug abuse activity in the agency's jurisdiction.

(2) Twenty percent of funds in the account shall be granted or allocated by contract by the Superintendent of Public Instruction to school districts, county offices of education, community organizations, and agencies of local government, for out-of-classroom programs designed to provide students with alternative activities to drug use, and to teach self-respect and respect for others, including, but not limited to, afterschool athletic programs, homework centers, parental involvement programs, job experience programs with private employers, and community work programs. The amount of any grant or contract made pursuant to this subdivision shall be determined by the Superintendent of Public Instruction, provided that the total allocations made to agencies within a county are proportional to public school enrollment of that county.

(3) Thirty-five percent of funds in the account shall be allocated by the Superintendent of Public Instruction to agencies that operate state approved child development and preschool programs that, as determined by the Superintendent of Public Instruction, require the funds due to the high intensity of drug abuse activity in the agency's jurisdiction. The amount of any allocation made pursuant to this subparagraph shall be determined by the Superintendent of Public Instruction, provided that the total allocations made to agencies within a county are proportioned according to the existing allocation formula. The Superintendent of Public Instruction shall give priority to programs in the following order:

(A) Programs which serve children identified pursuant to guidelines adopted by the Superintendent of Public Instruction as being at risk of unlawful drug use or involvement.

(B) State-approved preschool programs.

(4) (A) Ten percent shall be allocated to the Superintendent of Public Instruction for coordinated services to at-risk students and for matching federal anti-drug education funding.

(B) For purposes of this paragraph, "coordinated services" means those services which link together at least two needed services provided by separate governmental agencies or community organizations.

(5) (A) Ten percent shall be allocated by the Superintendent of Public Instruction for incentive grants to local school districts, consortia of youth services providers, or county offices of education for partnership projects based on compacts or agreements, for measurable improvements in school achievement which link performance to job placement with local businesses.

(B) The incentive grants provided pursuant to subparagraph (A) shall require matching funds of at least one dollar ($1) for each dollar of the state grant made pursuant to subparagraph (A).

(C) The criteria for award of the grants provided pursuant to subparagraph (A) shall include, but not be limited to, demonstrated commitment to collaborative services on the part of business, school, and community leaders, demonstrated progress toward setting measurable goals for student achievement that will form the basis for all projects and partnership activities, project outlines for drug prevention and intervention strategies, and identification of target student population and unmet service needs for that population.

11999.5. (a) There is in the fund the Prison and Jail Account.

(b) Ten percent of the funds received by the fund shall be transferred to the Prison and Jail Account, for allocation as follows:

(1) Sixty-five percent shall be allocated to the Board of Corrections for allocations to counties for the operation and construction of county jails. The Board of Corrections shall give priority to those counties with the greatest need and the fewest immediate available local resources.

(2) Twenty percent shall be allocated to the Director of Corrections for increased operating costs of the state prisons resulting from the addition of Section 2933.5 to the Penal Code by the adoption of the Safe Streets Act of 1990.

(3) (A) Fifteen percent shall be allocated to the Secretary of the Youth and Adult Correctional Agency for drug treatment programs for prisoners in, and parolees of, state prisons and youth correctional facilities. The Secretary of the Youth and Adult Correctional Agency shall allocate the funds to the Department of Corrections and the Department of the Youth Authority.

(B) The Director of Corrections shall distribute the funds allocated to the Department of Corrections by the Secretary of the Youth and Adult Correctional Agency pursuant to subparagraph (A).

(C) The Director of the Youth Authority shall distribute the funds allocated to the Department of the Youth Authority by the Secretary of the Youth and Adult Correctional Agency

11999.6. (a) There is in the fund the Drug Treatment Account.

(b) (1) Eight percent of the funds received by the fund shall be transferred to the Drug Treatment Account, for allocation to the Secretary of Health and Welfare for anti-drug health and rehabilitation programs and other supportive services, and the treatment and prevention of drug-induced conditions. The

Secretary of Health and Welfare shall allocate the funds to the Department of Alcohol and Drug Programs and to those state entities which comprise the Interagency Task Force on Perinatal Substance Abuse.

(2) The Director of Alcohol and Drug Programs shall distribute funds allocated to the department by the Secretary of Health and Welfare. The Director of Alcohol and Drug Programs shall distribute the funds to county alcohol and drug abuse agencies pursuant to a formula developed by the director which takes into account the following factors:

(A) Population.

(B) Drug-related deaths.

(C) Drug-related emergency room visits

(D) Drug-related arrests.

(E) Demographics.

(F) Poverty rates.

(G) The ability and willingness of local leaders, citizens, and entities to organize a community-based response to combat drugs.

(H) Other factors determined by the Director of Alcohol and Drug Programs to be relevant to those anti-drug activities described in this section.

(3) The Secretary of Health and Welfare shall distribute funds allocated to the entities which comprise the Interagency Task Force on Perinatal Substance Abuse in accordance with task force goals.

11999.7. Not more than 1 percent of the total amount allocated from any account in the fund shall be used for administrative expenses by the Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, and the Secretary of Health and Welfare, including the requirements specified in Sections 11999.8, 11999.10, and 11999.11.

11999.8. By or before April 1, 1991, and on April 1 of each year thereafter, the Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, and the Secretary of Health and Welfare shall each submit to the Governor and to appropriate committees of the Legislature an expenditure report outlining program expenditures for the following year.

11999.9. (a) By or before April 1, 1992, and on April 1 of each year thereafter, the Auditor General shall submit to the Governor and the appropriate committees of the Legislature a report which contains a description of how funds distributed to the Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, and the Secretary of Health and Welfare pursuant to this division were allocated, and an evaluation of the programs for which the funds were used.

(b) The Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, and the Secretary of Health and Welfare shall reimburse the Auditor General for all reasonable costs incurred by the Auditor General pursuant to subdivision (a).

11999.10. By December 1, 1993, the Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, and the Secretary of Health and Welfare shall each recommend to the Governor whether the programs under their jurisdiction established by this division should be continued, modified, or terminated

11999.11. By January 1, 1994, the Governor shall recommend to the Legislature whether the program established by this division and the amendment of Sections

6051, 6201, and 7102 of the Revenue and Taxation Code by the Safe Streets Act of 1990 should be continued, modified, or terminated.

11999.12. For purposes of this division, "drug" does not include alcohol or tobacco.

11999.13. For purposes of this division, "fund" means the Safe Streets Fund.

11999.14. This division shall remain operative only until July 1, 1995, and shall remain in effect only until January 1, 1996, and as of that date is repealed, unless a later enacted statute, passed by a two-thirds vote, which is enacted before January 1, 1996, deletes or extends that date.

SEC. 4. Section 2933.5 is added to the Penal Code, to read:

2933.5. (a) Any person described in paragraph (1) or (2) who is convicted of committing one or more of the crimes specified in that paragraph on or after the effective date of this section shall not be eligible for credits, as specified in Sections 2931 and 2933:

(1) Any person convicted in separate proceedings of committing two or more of the following crimes, committed within a 20-year period, which period shall not include any time served in a state prison or county jail:

(A) Murder or voluntary manslaughter.

(B) Mayhem.

(C) Rape.

(D) Sodomy by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.

(E) Oral copulation by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.

(F) Attempted murder

(G) Any violation of subdivision (a) of Section 11370.4 of the Health and Safety Code involving the possession for sale, sale, or transportation of more than three pounds of heroin, cocaine, or cocaine-base.

(H) Any violation of subdivision (b) of Section 11370.4 of the Health and Safety Code involving the possession for sale, sale, or transportation of methamphetamine, amphetamine, and their salts and isomers, or PCP and its analogs, in excess of three pounds by weight or nine gallons by liquid volume.

(I) Any violation of Section 11379.8 of the Health and Safety Code involving the manufacturing, compounding, converting, producing, delivering, processing, or preparing those controlled substances to which Section 11379.8 of the Health and Safety Code applies in excess of one pound of solid substance by weight or three gallons of liquid by volume.

(J) Conspiracy to violate subdivision (a) or (b) of Section 11370.4 of the Health and Safety Code or Section 11379.8 of the Health and Safety Code in the amount specified in subparagraphs (G), (H), and (I), as appropriate.

(K) Any violation of Section 11353 of the Health and Safety Code involving an adult inducing, using, or employing a minor to violate Health and Safety Code provisions.

(L) Any violation of Section 11353.5 of the Health and Safety Code involving an adult selling or distributing a controlled substance on school grounds or public playgrounds during school hours to minors under the age of 14 years.

(2) Any person convicted of the following crimes, when the offense or offenses involved two or more victims and at least one of the victims died of injuries sustained as a result of one of the following crimes:

(A) Murder.

(B) Attempted murder.

(C) Voluntary manslaughter.

(b) (1) Upon conviction of any crime described in subdivision (a), the sentencing judge shall determine if this section applies to the defendant.

(2) If the sentencing judge determines, pursuant to paragraph (1) or (2) of subdivision (a), that this section applies to the defendant, no credits shall be given with respect to the sentence of that defendant pursuant to Section 2931 or 2933, or both.

(c) (1) The conviction of any crime specified in paragraph (1) of subdivision (a) shall be applied with respect to the application of this section whether the conviction occurred before or after the effective date of this section

(2) This section shall apply to the conviction of any crime specified in paragraph (2) of subdivision (a) which occurs after the operative date of this section.

(d) This section shall become operative January 1, 1991.

SEC. 5. Section 6051 of the Revenue and Taxation Code is amended to read:

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, and to and including June 30, 1973, and at the rate of 4¾ percent on and after July 1, 1973, and to and including September 30, 1973, and at the rate of 3¾ percent on and after October 1, 1973, and to and including March 31, 1974, and at the rate of 4¾ percent *to and including June 30, 1991, and at the rate of 5¼ percent on and after July 1, 1991, and to and including June 30, 1995, and at the rate of 4¾ percent* thereafter.

SEC. 6. Section 6201 of the Revenue and Taxation Code is amended to read:

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 July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, and to and including June 30, 1973, and at the rate of 4¾ percent on and after July 1, 1973, and to and including September 30, 1973, and at the rate of 3¾ percent on and after October 1, 1973, and to and including March 31, 1974, and at the rate of 4¾ percent *to and including June 30, 1991, and at the rate of 5¼ percent on and after July 1, 1991, and to and including June 30, 1995, and at the rate of 4¾ percent* thereafter.

SEC. 7. Section 7102 of the Revenue and Taxation Code is amended to read:

7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part, and pursuant to Section 1793.25 of the Civil Code, or be transferred in the following manner:

(a) (1) All revenues, less refunds, derived under this part at the 4¾ percent rate, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel which would not have been received if the sales and use tax rate had been 5 percent and if motor vehicle

fuel, as defined for purposes of the Motor Vehicle Fuel License Tax Law (Part 2 (commencing with Section 7301)), had been exempt from sales and use taxes, shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, and shall be transferred quarterly to the Transportation Planning and Development Account, a trust fund in the State Transportation Fund.

(2) All revenues, less refunds, derived under this part at the 4¾ percent rate, resulting from increasing after December 31, 1989, the rate of tax imposed pursuant to the Motor Vehicle Fuel License Tax Law on motor vehicle fuel, as defined for purposes of that law, shall be transferred quarterly to the Transportation Planning and Development Account, a trust fund in the State Transportation Fund.

(3) All revenues, less refunds, derived under this part at the 4¾ percent rate from the imposition of sales and use taxes on fuel, as defined for purposes of the Use Fuel Tax Law (Part 3 (commencing with Section 8601)), shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, and shall be transferred quarterly to the Transportation Planning and Development Account, a trust fund in the State Transportation Fund.

(4) All revenues, less refunds, derived under this part from a rate of more than 4¾ percent pursuant to Sections 6051.1 and 6201.1 for the period December 1, 1989, to June 5, 1990, inclusive, shall be transferred to the Disaster Relief Fund created by Section 16419 of the Government Code.

(5) All revenues, less refunds, derived under this part from a rate of more than 4¾ percent pursuant to Sections 6051.1 and 6201.1 for the period June 6, 1990, to December 31, 1990, inclusive, which is attributable to the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of tangible personal property other than fuel, as defined for purposes of the Use Fuel Tax Law (Part 3 (commencing with Section 8601)), shall be transferred to the Disaster Relief Fund created by Section 16419 of the Government Code.

(6) All revenues, less refunds, derived under this part from a rate of more than 4¾ percent pursuant to Sections 6051.1 and 6201.1 for the period June 6, 1990, to December 31, 1990, inclusive, which is attributable to the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of fuel, as defined for purposes of the Use Fuel Tax Law (Part 3 (commencing with Section 8601)), shall be transferred to the Disaster Relief Fund created by Section 16419 of the Government Code.

(7) (A) During the period commencing July 1, 1991, and ending June 30, 1995, all revenues, less refunds and revenues subject to Article XIX of the State Constitution, derived under this part in excess of the 4¾-percent rate, as estimated by the board, shall, with the concurrence of the Department of Finance, be transferred to the Safe Streets Fund.

(B) The estimate required by subparagraph (A) shall be based on taxable transactions occurring during a calendar year.

(C) Transfers to the Safe Streets Fund shall be made quarterly.

(b) The balance shall be transferred to the General Fund.

(c) The estimates required by subdivision (a) shall be based on taxable transactions occurring during a calendar year, and the transfers required by subdivision (a) shall be made during the fiscal year that commences during that same calendar year. Transfers required by paragraphs (1), (2), and (3) of subdivision (a) shall be made quarterly.

(d) The Legislature may amend this section, by statute passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with, and furthers the purposes of this section.

(e) This section shall remain in effect only until January 1, 1996, and as of that date is repealed, unless a statute, passed by a two-thirds vote, which is enacted before January 1, 1996, deletes or extends that date.

SEC. 8. Section 7102 is added to the Revenue and Taxation Code, to read:

7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part, and pursuant to Section 1793.25 of the Civil Code, or be transferred in the following manner:

(a) (1) All revenues, less refunds, derived under this part at the 4¾-percent rate, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel which would not have been received if the sales and use tax rate had been 5 percent and if motor vehicle fuel, as defined for purposes of the Motor Vehicle Fuel License Tax Law (Part 2 (commencing with Section 7301)), had been exempt from sales and use taxes, shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, and shall be transferred quarterly to the Transportation Planning and Development Account, a trust fund in the State Transportation Fund.

(2) All revenues, less refunds, derived under this part at the 4¾-percent rate, resulting from increasing after December 31, 1989, the rate of tax imposed pursuant to the Motor Vehicle Fuel License Tax Law on motor vehicle fuel, as defined for purposes of that law, shall be transferred quarterly to the Transportation Planning and Development Account, a trust fund in the State Transportation Fund.

(3) All revenues, less refunds, derived under this part at the 4¾-percent rate from the imposition of sales and use taxes on fuel, as defined for purposes of the Use Fuel Tax Law (Part 3 (commencing with Section 8601)), shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, and shall be transferred quarterly to the Transportation Planning and Development Account, a trust fund in the State Transportation Fund.

(b) The balance shall be transferred to the General Fund.

(c) The estimates required by subdivision (a) shall be based on taxable transactions occurring during a calendar year, and the transfers required by subdivision (a) shall be made during the fiscal year that commences during that same calendar year. Transfers required by paragraphs (1), (2), and (3) of subdivision (a) shall be made quarterly.

(d) The Legislature may amend this section, by statute passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with, and furthers the purposes of this section.

(e) This section shall become operative January 1, 1996.

SEC. 9. The provisions of this act may be amended by statute, which is passed by the Legislature with a two-thirds vote in each house, so long as the amendments are consistent with the purposes of this act as expressed on the date of adoption by the voters.

SEC. 10. If any provision of this act or the application thereof to any person or circumstances is held invalid, that 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.

Number on ballot

135. **Pesticide Regulation.**

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED LAW

SECTION 1. Title

This Act shall be known as the Consumer Pesticide Enforcement Act for Food, Water, and Worker Safety.

SECTION 2. Findings and Declarations

The people of California find and declare that:

(a) The people of California and the United States have a right to the purchase and consumption of safe food.

(b) People who work in the production of food have a right to a safe working environment.

(c) Recent events have heightened the public's awareness of food safety and led to a desire for additional regulatory practices to provide greater consumer and worker protection.

(d) Dietary risk exposure may be augmented by occupational exposure. To provide adequate safety to those who work in agriculture, we must supplement the dietary protection by a comprehensive workplace protection program.

(e) Pest management is vital to an adequate, safe and wholesome food supply.

(f) There is a need for a new and additional strict analysis of the pesticides used on food crops that present health concerns.

(g) There is a need to provide higher levels of protection to children and other sensitive subpopulations.

(h) There is a need for funding research to find alternatives to pesticides and develop safer pesticides and pest management practices.

(i) Given the risks of certain highly toxic pesticides to both workers and consumers, new regulations are required to make certain that persons dealing with these substances are properly trained in their use.

(j) Because exposure to pesticide residues could also come from consumption of water, as well as food, there is a need to review the water quality objectives for pesticide residue in drinking water sources and monitor the waters of the state to determine compliance with those water quality objectives.

(k) Nonpoint source discharges containing pesticide residues may affect the quality of waters of the state. Therefore, nonpoint source discharges should be subject to control and regulation through implementation of best management practices.

(*l*) There should be an updated review of the pesticide regulatory program of the Department of Food and Agriculture by the Secretary of the Resources Agency to determine if the present program provides the adequate protections required by state law.

(m) There is a need to establish an independent scientific advisory panel to assist in the monitoring and evaluation of pesticides and their impact on food safety.

(n) Transportation of food by tank truck is a matter of great concern to the producers and shippers of food and to the consumers. Appropriate safeguards should be taken to minimize the danger of contamination of food transported in tank trucks.

(o) Because the regulation of food, pesticides, agriculture and discharges of pesticide residues to sources of drinking water is a highly complex and technical area involving multiple state agencies, there is a need for a focused and exclusive assignment of coordination in that area so as to effectively coordinate with the environmental programs of agencies with responsibilities in those areas.

(p) Food safety and supply issues are complex and unique. They require the proper balance of public policy, health, economic, and scientific issues and are best addressed as a single subject rather than as part of a general toxic chemical or multi-faceted environmental measure.

SECTION 3. Statement of Purpose

The people enact the Consumer Pesticide Enforcement Act for Food, Water, and Worker Safety to make specific reforms to protect the supply of nutritious and wholesome food and the supply of water, and to reform occupational safety laws related to agriculture. To accomplish these reforms the people by this initiative measure create a new Division of Food Safety and Pesticide Regulation which shall double the number of samples taken to monitor pesticide residue, develop improved analytical methods to detect pesticide residues, prohibit the use of unsafe pesticides through a comprehensive review of priority pesticides involving an independent scientific advisory panel review, expand farm worker safety right-to-know and work place protection, conduct research to identify alternative means of pest management and develop alternative safer pesticides. This initiative measure is intended to provide comprehensive and necessary reform on the specific subject of pesticide enforcement for food, water, and worker safety.

Accordingly, we, the People of the State of California, do hereby enact the Consumer Pesticide Enforcement Act for Food, Water, and Worker Safety.

SECTION 4.

Section 106 is added to the Food and Agricultural Code to read:

106. (a) A Division of Food Safety and Pesticide Regulation is created in the Department of Food and Agriculture.

(b) The division shall be headed by a deputy director. The deputy director shall be appointed by the Governor upon nomination by the director and serve at the pleasure of the director.

(c) One branch within the division shall be dedicated to the regulation of food safety and shall be called the Food Safety Branch. The authority of the branch may include produce monitoring, analytical test method review, dietary review and risk assessment, tolerance review and setting, and other related responsibilities as assigned by the director.

SECTION 5.

Section 11891 of the Food and Agricultural Code is amended to read:

11891. Every person who violates any provision of this division, or any regulation issued pursuant to a provision of the division, is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than ~~one hundred dollars ($100)~~ *five hundred dollars ($500)* nor more than ~~one thousand dollars ($1,000)~~ *two thousand five hundred dollars ($2,500)* , or by imprisonment of not less than 10 days nor more than six months, or by both fine and imprisonment. Each violation constitutes a separate offense.

SECTION 6.

Section 12501 of the Food and Agricultural Code is amended to read:

12501. ~~Unless the context otherwise requires, the~~ *The* definitions in this article *shall* govern the construction of this chapter *unless the context requires otherwise*.

SECTION 7.

Section 12502 of the Food and Agricultural Code is amended to read:

12502. "Food" means any article, *or component of any article,* ~~which is~~ used for food or drink for man or ~~any other~~ animal ~~, or for a component of any such article~~.

SECTION 8.

Section 12503 of the Food and Agricultural Code is amended to read:

12503. "Pesticide chemical" means any ~~substance that is used in the production, storage, or transportation of produce which is an "economic poison"~~ *economic poison,* as defined in Section 12753, *used in the production, storage, or transportation of produce*.

SECTION 9.

Section 12504 of the Food and Agricultural Code is amended to read:

12504. "Produce" means ~~any~~ food in ~~its~~ *a* raw or natural state ~~which is~~ in ~~such~~ *a* form ~~as to indicate that it is~~ intended for consumer use with or without any or further processing.

SECTION 10.

Section 12505 of the Food and Agricultural Code is amended to read:

12505. "Pesticide residue" means *a residue of* any pesticide chemical ~~which is~~ added to produce.

SECTION 11.

Section 12535 of the Food and Agricultural Code is amended to read:

12535. (a) ~~Commencing in 1990, the~~ *The* department shall ~~substantially~~ expand and maintain its ~~focused~~ pesticide residue monitoring program ~~beyond the 1988 level~~. *The department shall monitor at least twice the number of samples of raw agricultural commodities sampled by the department in 1989*

(b) The monitoring program under subdivision (a) shall include produce imported to California. The department shall design the expanded monitoring program so that the department increases the percentage of samples taken from imported produce above the percentage monitored in 1989. The focus on monitoring imported commodities is necessary because: (1) commodities produced outside of California are not supported by records of pesticide use which assist state agencies in providing meaningful monitoring and regulatory action and (2) such commodities may be grown with pesticides which are not registered in California or with pesticides applied under conditions not allowed in California.

(c) The ~~focused~~ monitoring program shall be prioritized ~~considering~~ *to consider* pesticides of greatest health concern and contribution to dietary exposure, and for various ~~sensitive~~ subpopulations, *which may be uniquely sensitive to pesticide residues, with special emphasis on infants and* ~~including~~ children.

~~(b)~~ *(d)* The department shall consider, but not be limited to, ~~the following lists of~~ pesticides *on the following lists containing active ingredients which are registered for use on food or for which a tolerance exists* in establishing ~~priorities for~~ *its* monitoring *priorities*:

(1) Pesticides ~~identified~~ *classified* by the ~~federal~~ *United States* Environmental Protection Agency as *a* known, ~~possible~~ *probable*, or ~~probable~~ *possible* human ~~carcinogens which are registered for use on food crops~~ *carcinogen and published as final in the Federal Register*.

(2) Pesticides listed as high priority for risk assessment as a result of the evaluation process of ~~the Birth Defect Prevention Act of 1984~~ *Section 13127*.

(3) Pesticides listed as known to cause cancer or reproductive toxicity pursuant to Section ~~25249.9~~ *25249.8* of the Health and Safety Code.

~~(4) Class I and Class II pesticides on the United States Food and Drug Administration's Surveillance Index.~~

SECTION 12.

Section 12561 of the Food and Agricultural Code is amended to read.

12561. The director ~~by regulation~~ may establish permissible tolerances *by regulation* for any pesticide chemical in or on produce if ~~he or she finds each of the following: (a) The~~ *the* pesticide chemical is useful for the production and marketing of the produce ~~, (b) The~~ , *and, the* presence of the pesticide chemical as pesticide residue in quantities within the tolerances ~~so~~ established *pursuant to this section* is not deleterious to the health of man or ~~animals~~ *animal*.

SECTION 13.

Section 12561.3 of the Food and Agricultural Code is added to read.

12561.3 Food processed prior to the revision of any tolerance pursuant to this article shall be deemed not to be adulterated.

SECTION 14.

Section 12561 5 is added to the Food and Agricultural Code to read

12561 5 After the director issues a proposed regulation revising a tolerance for a food use pesticide, the registrant, or any person on whose behalf a tolerance has been established, shall submit data to the director demonstrating appropriate amendments to maximum application rates, crop registrations, and preharvest intervals necessary to assure that the revised tolerance is not exceeded The director shall issue, as part of the proposed regulation, a proposed timetable for the submission of data called for by this section.

SECTION 15.

Section 12562 of the Food and Agricultural Code is amended to read·

12562. ~~The director may exempt any~~ *Any* pesticide chemical *may be exempted* from the requirement of a tolerance if ~~he~~ *the director* finds that the pesticide chemical may *be used* safely ~~be used~~ without a tolerance.

SECTION 16.

Section 12563 of the Food and Agricultural Code is amended to read.

12563. ~~The director may establish the~~ *The* tolerance for any pesticide chemical *in or* on produce *may be established* at zero if ~~he~~ *the director* finds that a greater tolerance is not justified.

SECTION 17.

Section 12565 of the Food and Agricultural Code is amended to read:

12565. If a tolerance for a pesticide chemical in or on produce is established pursuant to any law *or regulation* of the United States, the director may review the tolerance ~~, and if he~~ . *After review, if the director* finds that ~~it~~ *the tolerance* is in accordance with the standards and provisions of this chapter, ~~he~~ *the director* may establish a like tolerance pursuant to this chapter.

SECTION 18.

Section 12582 of the Food and Agricultural Code is amended to read.

12582. ~~The~~ *Whenever a produce lot destined for processing is found to be in violation of this chapter, the* director shall immediately notify the ~~State~~ Director of Health Services by telephone *or facsimile machine*, ~~with~~ *followed by* immediate written confirmation ~~, whenever a lot of produce destined for processing is found to be in violation of this chapter,~~ *of the notification.*

SECTION 19.

Section 12601 of the Food and Agricultural Code is amended to read:

12601. The director may seize and hold any lot of produce *or any unharvested produce* which carries or shows indication of pesticide residue or other added deleterious ingredients or which the director ~~suspects~~ *has reasonable grounds to suspect* of carrying the residue or deleterious ingredients.

SECTION 20.

Section 12604 of the Food and Agricultural Code is amended to read:

12604. Any ~~lot of~~ produce which is seized and held pursuant to this article, unless previously analyzed by the director, shall be sampled and analyzed within 24 hours after the seizure for the purpose of determining the amount of pesticide residue on it. The owner or bailee of the produce shall be immediately notified in person or by telegram by the director that the analysis of the sample shows that the lot of produce does or does not carry pesticide residue or other added deleterious ingredients in excess of the maximum quantity or permissible tolerance which is established pursuant to this chapter.

SECTION 21.

Section 12608.5 of the Food and Agricultural Code is amended to read:

12608.5. ~~Upon demand of the owner or person in rightful possession of the produce for permission to remove the produce destined for processing, the~~ *The* director shall release the *lot of* produce *seized and held* to the custody of the ~~State~~ Director of Health Services *upon demand of the owner or person in rightful possession of the produce destined for processing.*

SECTION 22.

Section 12671 of the Food and Agricultural Code is amended to read:

12671. It is unlawful for any person to pack, ship, or sell any produce that *contains or* carries *a* pesticide residue ~~in excess of~~ *which exceeds* the permissible tolerance ~~which is~~ established ~~by the director~~ pursuant to this chapter.

SECTION 23.

Section 12672 of the Food and Agricultural Code is amended to read:

12672. The director or commissioner may prohibit the harvest of any produce *or may seize and hold any lot of produce* when a preharvest interval specified in the registered labeling of a pesticide applied to the produce has not been complied with. Except as provided in Section 12673, such harvest prohibition shall not extend beyond the expiration of the preharvest interval. *Seized produce shall be held until the preharvest interval has expired and the director has satisfactory evidence that any pesticide residue is within a permissible tolerance.*

SECTION 24.

Section 12675 is added to the Food and Agricultural Code to read:

12675. Food imported into California containing a detectable pesticide residue shall be regarded as containing an unlawful residue if any of the following conditions exist: (1) the registration for the pesticide has been cancelled or suspended for use on that commodity in California; (2) the pesticide residue is in excess of a food residue tolerance; or (3) the registrant has applied for California registration for the pesticide and the department has determined that the pesticide does not meet the department's registration criteria.

SECTION 25.

Section 12797 of the Food and Agricultural Code is amended to read:

12797. (a) The director ~~, on or before March 1, 1990, in consultation with~~ *and* the ~~State~~ Director of Health Services , shall ~~also~~ *jointly* establish a ~~separate scientific advisory committee with an emphasis on persons with expertise in residue chemistry, analytical chemistry, or food technology from the department, the State Department of Health Services, qualified public and private institutions of higher education, laboratories licensed pursuant to Section 26507 of the Health and Safety Code, consumer interest groups, and the agricultural chemical industry. The committee shall make recommendations on how the state can improve its existing pesticide residue analytical methods and review recent scientific advancements concerning new and revised analytical methods for testing produce and processed foods for the presence of pesticide residues. The director may invite representatives of the federal Environmental Protection Agency and the United States Food and Drug Administration to participate in the committee's review.~~ *six-person Analytical Methods Scientific Advisory Committee.*

~~(b) The committee shall determine when newly emerging analytical methods are developed to the point that it is feasible to adopt their usage in the residue monitoring programs of the department or the State Department of Health Services.~~

~~(c) The committee shall focus its review on analytical methods for pesticide residues not detectable on the existing multiple residue screens available for use by the department or the State Department of Health Services, and on pesticide residues which the committee deems are difficult to accurately identify and quantify due to time, equipment, or expense.~~

(b) In establishing the committee, each director shall appoint three members. Of the three appointees to be appointed by each director, no more than one appointee may be directly associated with a chemical company or firm.

(c) The members of the committee shall have expertise in residue chemistry, analytical chemistry, or food technology and be engaged directly or indirectly in analysis or research with respect to pesticide residues in food. At least one member of the Committee should have statistical expertise in evaluation of methods The director may invite representatives of the United States Environmental Protection Agency and the United States Food and Drug Administration to participate in the Committee's review.

(d) The committee members shall serve for staggered two year terms. Two members shall be appointed for an initial one year term, two members shall be appointed for an initial two year term, and two members shall be appointed for an initial three year term.

(e) The committee will select its own chairperson from among its members. The chairperson may not be directly associated with a chemical company or firm.

(f) Members of the committee shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in connection with the performance of their official duties.

(g) The purpose of the committee will be to:

(1) review scientific advancements concerning new and revised analytical testing methods for testing produce and processed foods for the presence of pesticide residues;

(2) make recommendations to both departments as to how they may improve their existing pesticide residue analytical methods including, but not limited to, recommendations as to equipment required to conduct the improved analytical methods;

(3) determine if or when implementation of new analytical methods by the state agencies are economically and technically feasible; and

(4) recommend to the directors when they believe the departments should adopt such new analytical methods.

(h) Nothing in this section shall limit the authority of the directors to implement and adopt new analytical methods prior to a determination or recommendation by the committee.

SECTION 26.

Section 12798 of the Food and Agricultural Code is amended to read:

12798. (a) *Five million dollars ($5,000,000) is appropriated each year for encumbrance from the State General Fund to the department. The provisions of Section 13340 of the Government Code shall not be applicable to this section* The department shall make *the* funds available to qualified ~~public and private~~ entities *through research awards* to conduct pest management research projects, with an emphasis on ~~projects~~ *alternatives to pesticides, use of safer pesticides, farm management practices* that ~~will~~ result in the reduction of pesticide use, ~~the use of safer pesticides,~~ or *the* ~~minimizing~~ *minimization of* pesticide residue. *These research awards shall be made in consultation with the Director of Agricultural Research at the University of California and appropriate counterparts in the California State University system chosen by the director* ~~(b)~~ Research conducted pursuant to this section shall have the further development of alternative pest management practices and methods as a priority.

(b) Prior to making research awards *pursuant to this section*, the department shall assess existing research activities and developments in integrated pest management, alternatives to pesticides, *sustainable agriculture*, and other alternative pest management practices and methods, including, but not limited to, cultural, biological, and biotechnological research.

(c) (1) The director shall appoint a ~~pest management research screening committee~~ *Pest Management Research Screening Committee,* ~~of~~ not to exceed ~~nine persons, the membership of which may be rotated as determined by the director.~~ *eleven people.*

(2) The committee shall consist of ~~agriculturalists~~ *agriculturists*, including, *but not limited to,* organic farmers, *pest control advisors,* researchers, scientists, ~~academics,~~ *food processors,* representatives of ~~public interest organizations,~~ *health and consumer interest organizations, a representative of the director, a representative of the Director of the Health Services,* and ~~other persons~~ *others* who are knowledgeable, technically qualified, and experienced in pest management techniques, with an emphasis on ~~alternative methods, for which projects are being reviewed.~~ *the development of alternative pest control methods.* ~~The committee shall meet at the call of the director to review and give its advice and recommendations with respect to research projects funded by this section.~~

(3) Members of the committee shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in connection with their official duties.

(4) The committee shall give advice and recommendations to the director with respect to which research projects should be funded by this section

(5) The committee shall initially meet at the call of the director. The committee shall elect a chairperson at its first meeting and thereafter meet at the call of the chairperson or the director.

(6) The committee shall first focus on reviewing the priority pesticides as defined in Section 13063 so as to encourage research to meet the purposes set forth in this section.

(d) ~~In order to~~ *To* facilitate the utilization of ~~pest management~~ practices and methods developed pursuant to this section, the director shall cooperate with qualified ~~public and private~~ entities to provide outreach consultation, information dissemination, and ~~education~~ *educational* services to the agricultural community and other interested parties *including agricultural employers and their employees, as well as local county health officers*.

(e) This section shall remain in effect only until January 1, 1996, and, as of that date, is repealed, unless a later enacted statute, which is enacted before January 1, 1996, deletes or extends that date.

SECTION 27.

Section 12798.1 is added to the Food and Agricultural Code to read:

12798.1. The director shall establish a program for the training of persons who apply for permits to use, or who mix, handle, use, or apply, restricted pesticides or other pesticides determined by the director to pose a hazard. In establishing such a program, and in developing the methods for delivery of the program, the director shall consult with the University of California Agricultural Extension Service. Such training shall include information regarding the necessity of pesticide use, the effective rate of application, timing of pesticide use, and information on alternative pest control methods The training shall be designed to encourage a reduction in the use of restricted pesticides, the use of safer pesticides, minimize pesticide residue, and utilization of farm management practices which result in reduced pesticide use. This section shall not limit the director's authority under Section 12981.

SECTION 28.

Section 12798.2 is added to the Food and Agricultural Code to read:

12798.2 The director shall appoint a nine (9) member committee to research pesticide application technology. The committee shall be comprised of representatives from the department, Department of Health Services, University of California or California State University system, pest control operators, pest control advisors, growers, the public, and other knowledgeable and qualified persons. The committee shall conduct research to identify alternatives to improve existing pesticide application methods. The research shall be designed to make pesticide application more efficient by maximizing on-target applications which may allow the reduction of pesticide use. Members of the committee shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in connection with the performance of their official duties.

SECTION 29.

Section 12798.3 is added to the Food and Agricultural Code to read:

12798.3. The director, in cooperation with the University of California, shall conduct a study to evaluate pesticide use recommendations. The study shall take into consideration variations in pesticide use required by variations in pest populations, weather, geographic areas, and crops.

SECTION 30.

Section 12798.4 is added to the Food and Agricultural Code to read:

12798.4. Each person engaged for hire in the business of pest control shall have available a copy of both the written recommendation and the use permit which prescribes the restrictions and conditions of use covering each agricultural use application of a pesticide that requires a permit.

SECTION 31.

Section 12799 is added to the Food and Agricultural Code to read:

12799. (a) The Pest Management Research Screening Committee shall have as a priority the identification of research activities and developments in alternatives to pesticides, and other alternative pest management practices and methods that will lead to the elimination or reduction of the need for aerial spraying of pesticides designed to eradicate the Mediterranean fruit fly.

(b) Funds shall be appropriated from the General Fund to the department for the purpose of increasing the capacity of the department to obtain sterile Mediterranean fruit flies to a level which is twice the capacity that exists as of November 7, 1990.

SECTION 32.

Section 12799.1 of the Food and Agricultural Code is added to read:

12799.1. Section 12796 shall not apply to Sections 12797, 12798, 12798.1, 12798.2, 12798.3, 12798.4, 12799 or this section.

SECTION 33.

Section 12821.1 is added to the Food and Agricultural Code to read:

12821.1. (a) Each applicant for the registration of a pesticide product intended for use on a food crop shall provide the director with a practical analytical method for accurately determining residues of (1) each active ingredient, as defined in 7 U.S.C., Sec. 136(a), in the pesticide product and (2) each metabolite that may result from the active ingredient for which a tolerance has been established by the United States Environmental Protection Agency

(b) For a food crop for which a residue tolerance has been established, the method shall allow the director to determine the residue on each crop within a continuous 24-hour period.

(c) Prior to January 1, 1993 each registrant of a toxicity category I pesticide, or any other pesticide deemed of significant toxicological concern by the director, registered with the department on January 1, 1991, shall provide the director with a method that would allow the director to determine the residue on each crop within a continuous 12-hour period unless the registrant can demonstrate that there is no method scientifically available to meet this subdivision.

(d) After January 1, 1991, all applicants for registration of a toxicity category I pesticide, or a pesticide classified as a toxicity category I pesticide, or any other pesticide deemed of significant toxicological concern by the director, shall provide the director within two years of registration, classification, or being deemed of significant toxicological concern by the director, with a method that would allow the director to determine the residue on each crop within a continuous 12-hour period unless the registrant can demonstrate that there is no method scientifically available to meet this subdivision.

(e) If the registrant fails under subdivisions (c) or (d) to provide the required method or to demonstrate that there is no method scientifically available, the director shall not register that pesticide or, if already registered, shall suspend the registration of the pesticide.

SECTION 34.

Section 12830 is added to the Food and Agricultural Code to read:

12830. The director shall establish and implement a collection program under which, upon request of an agricultural pesticide user and without cost to the user, the department shall collect and safely dispose, or arrange for collection and safe disposal, of any pesticide which is no longer registered for use in California.

SECTION 35.

Section 12846 of the Food and Agricultural Code is repealed.

~~12846. The Food Safety Account is hereby created in the Department of Food and Agriculture Fund to be used, upon appropriation, for purposes of Sections 12535, 12797, 12798, 12979, 13060, and 13061 of this code and Section 26509 of the Health and Safety Code.~~

SECTION 36.

Section 12979 of the Food and Agricultural Code is amended to read:

12979. ~~A pesticide use report shall be submitted to the commissioner or director on a form and in a manner prescribed by the director. The data from the pesticide use reports shall be considered in setting priorities for food monitoring, pesticide use enforcement, farm worker safety programs, environmental monitoring, pest control research, public health monitoring and research, and similar activities by the department, or by the department in cooperation with other state, regional, or local agencies with appropriate authority.~~ *(a) A completed pesticide use report shall be submitted to the commissioner or director on a periodic and timely basis.*

(b) The reports shall be made on a form prescribed by the director.

(c) Each commissioner shall submit the pesticide use reports received to the department on a periodic and timely basis as prescribed by the director.

(d) Data from the reports will be used for:

(1) Prioritizing monitoring programs.

(2) Pesticide use enforcement.

(3) Worker safety programs.

(4) Environmental monitoring including, but not limited to, pesticide contamination of surface or groundwater, impact on endangered species, off-target application and other adverse environmental impact.

(5) Pest control research

(6) Public health monitoring and research

(7) Similar activities by the department.

(e) (1) Persons required to submit completed pesticide use reports shall retain them for at least two years after the date the forms are to be submitted pursuant to subdivision (a)

(2) The director shall retain the reports for a period of time sufficient to evaluate the chronic health effects, if any, associated with pesticide use.

(f) The department shall make the reports available upon request to the Department of Health Services.

(g) The department and the commissioners shall make the reports available upon request to produce handlers, retailers, or the public.

SECTION 37.

Section 12980 of the Food and Agricultural Code is amended to read:

12980 The Legislature hereby finds and declares that it is ~~necessary and desirable~~ *imperative* to provide for the safe use of pesticides and for safe working conditions for farmworkers, pest control applicators, and other persons handling, storing, or applying pesticides, or working in and about pesticide-treated areas.

The Legislature further finds and declares that the development of regulations relating to pesticides and worker safety should be the joint and mutual responsibility of the Department of Food and Agriculture and the ~~State~~ Department of Health Services.

The Legislature further finds and declares that in carrying out the provisions of this article, the University of California, the Department of Industrial Relations, and any other similar institution or agency should be consulted.

It is the intent of the people of the State of California in amending this article to protect the health and safety of agricultural employees that are exposed to pesticides

SECTION 38.

Section 12980.1 of the Food and Agricultural Code is added, to read:

12980.1. (a) The department's agricultural employee protection program shall be designed to protect the health and safety of agricultural employees that are exposed to pesticides

(b) The director shall review and revise existing worker safety regulations in a manner consistent with the provisions of this article.

SECTION 39.

Section 12981 of the Food and Agricultural Code is amended to read:

12981. The director shall adopt regulations to carry out ~~the provisions of~~ this article. ~~Such~~ *These* regulations shall include, but are not limited to, all of the following subjects

(a) Restricting worker reentry into areas treated with pesticides determined by the director to be hazardous to worker safety by using either or both of the following:

(1) Time limits.

(2) Pesticide residue levels on treated plant parts determined by scientific analysis to not be a significant factor in cholinesterase depression or other health effects.

When the director has adopted regulations pursuant to both paragraphs (1) and (2), the person in control of the area treated with the pesticide shall have the option of following regulations adopted pursuant to either paragraph (1) or (2). If the person in control of the area treated with the pesticide chooses to follow regulations adopted pursuant to paragraph (2), the director may establish and charge the person a fee necessary to cover any costs of analysis or costs incurred by the director or commissioner in carrying out regulations adopted pursuant to paragraph (2). The regulations shall include a procedure for the collection of the fee, and the fee shall not exceed actual cost

(b) Handling of pesticides.

(c) Hand washing facilities

(d) Farm storage and commercial warehousing of pesticides.

(e) Protective devices, including, but not limited to, respirators and eyeglasses.

(f) Posting, in English and Spanish, of fields, areas, adjacent areas or fields, or storage areas.

(g) Implementation of hazardous substances information and training in a manner that shall provide agricultural workers rights as least as effective as, and consistent with, the federal Hazard Communications Standard (29 CFR 1910.1200), notwithstanding any other provision of law.

The ~~State~~ Department of Health Services shall participate in the development of any regulations adopted pursuant to this article. ~~Such~~ *Those* regulations that relate to health effects shall be based upon the recommendations of the ~~State~~

Department of Health Services. The original written recommendations of the ~~State~~ Department of Health Services, any subsequent revisions of those recommendations, and the supporting evidence and data upon which the recommendations were based shall be made available upon request to any person.

SECTION 40.

Section 12981.1 is added to the Food and Agricultural Code to read:

12981.1. The director shall, by regulation, establish a program for the training of all persons who handle, mix, or apply toxicity category I pesticides or other pesticides deemed by the director to pose a hazard or potential hazard to worker safety, public health or the environment. The training of such persons shall be designed to assure the safe use and handling of pesticides. This section shall not limit the director's authority under Section 12981.

SECTION 41.

Section 12981.2 is added to the Food and Agricultural Code to read:

12981.2. (a) The director shall, by regulation, determine which crops are labor intensive crops and develop for these crops, in consultation with the Department of Industrial Relations, the University of California and the Department of Health Services, crop sheets with information on each of the restricted materials or toxicity category I pesticides typically used on a crop, the specific acute and chronic effects of exposure to those pesticides, time of year and use, and any other information the director determines to be appropriate. The crop sheets shall be printed in English and Spanish, and may be printed in other languages commonly used by agricultural workers who work with a particular crop.

(b) The crop sheets shall be distributed to employers and to clinics, hospitals and other health care providers that serve agricultural workers

(c) The crop sheets shall be developed and distributed no later than one year from the effective date of this Act.

SECTION 42.

Section 12981.3 is added to the Food and Agricultural Code to read as follows:

12981.3. After January 1, 1992, at the time a pesticide is registered or reregistered, the Director shall establish, by regulation, reentry intervals following pesticide application for toxicity category I, II, III and priority pesticides as defined in Section 13063 based on data and information received from all sources including the registrant

SECTION 43.

Section 12982 of the Food and Agricultural Code is amended to read.

12982. *This article, and the regulations adopted pursuant to this article, shall be enforced by the director and, under the direction and supervision of the director, the agricultural commissioner of each county.* The director and the *agricultural* commissioner ~~of each county under the direction and supervision of the director, shall enforce the provisions of this article and the regulations adopted pursuant to it. The local health officer may assist the director and the commissioner in the enforcement of the provisions of this article and any regulations adopted pursuant to it.~~ *may be assisted in carrying out their responsibilities under this section by the local health officer.* The local health officer shall investigate *and shall take necessary action in cooperation with the agricultural commissioner to abate* any condition where a health hazard ~~from pesticide use~~ exists ~~, and shall take necessary action, in cooperation with the commissioner, to abate any such condition.~~ *from pesticide use.* The local health

officer may call upon the ~~State~~ Department of Health Services for assistance pursuant to ~~the provisions of~~ Section 2951 of the Health and Safety Code.

SECTION 44.

Section 12985 of the Food and Agricultural Code is amended to read:

12985. Any person who orders an employee to enter an area posted with a warning sign in violation of any worker safety reentry ~~requirements promulgated~~ *regulation adopted* pursuant to this article ~~by the director~~ is guilty of a misdemeanor. A violation of this article affecting any worker or workers constitutes a separate offense for each affected worker.

SECTION 45.

Section 12986 of the Food and Agricultural Code is amended to read:

12986. (a) The director shall *review and* approve programs for training persons who handle or apply pesticides in aerial pest control operations. The training programs shall be consistent with, but not limited to, this article and may include participation ~~by trainees~~ in field practices or exercises dealing with the safe handling and application of pesticides and may include performance measurement of the practices and exercises.

(b) The ~~approved~~ training programs *referred to in subdivision (a)* shall be conducted by industry qualified instructors. Industry qualified instructors are persons approved by the director.

(c) All persons who successfully complete an approved training program shall be issued a certificate of completion by industry qualified instructors, which shall be available for inspection by the director or a commissioner, or ~~his or her~~ *their* representative. When the person completing an approved training program attended the program at the request or expense of the person's employer, the employer shall be provided a copy of the certificate of completion, which also shall be available for inspection by the director or a commissioner, or ~~his or her~~ *their* representative.

SECTION 46.

Section 12987 is added to the Food and Agricultural Code to read:

12987 The director shall require registrants of pesticides to submit all data necessary to perform the director's duties under this article.

SECTION 47.

Section 12988 is added to the Food and Agricultural Code to read:

12988. No pesticide may be registered, or reregistered, unless the director determines that its registrant has complied with this article.

SECTION 48.

Section 12996 of the Food and Agricultural Code is amended to read:

12996. (a) Every person who violates any provision of this division relating to pesticides, or any regulation issued pursuant to a provision of this division relating to pesticides, is guilty of a misdemeanor and upon conviction shall be punished by a fine ~~of~~ not less than five hundred ~~dollars~~ ($500) nor more than five thousand dollars ($5,000), or by imprisonment of not more than six months, or by both fine and imprisonment. Upon a second or subsequent conviction of the same provision of this division relating to pesticides, a person shall be punished by a fine of not less than one thousand dollars ($1,000) nor more than ten thousand dollars ($10,000), or by imprisonment of not more than six months or by both fine and imprisonment. Each violation constitutes a separate offense.

(b) Notwithstanding the penalties prescribed in subdivision (a), if the offense involves an intentional or negligent violation which created or reasonably could have created a hazard to human health or the environment, the convicted person

shall be punished by imprisonment ~~in the county jail~~ not exceeding one year ~~or in the state prison~~ or by fine of not less than ~~five~~ *ten* thousand dollars ~~($5,000)~~ *($10,000)* nor more than fifty thousand dollars ($50,000), or by both the fine and imprisonment.

SECTION 49.

Section 12998 of the Food and Agricultural Code is amended to read:

12998. Any person who violates any provision of this division relating to pesticides, or any regulation issued pursuant to a provision of this division relating to pesticides, shall be liable civilly in an amount not exceeding ~~ten~~ *fifteen* thousand dollars ~~($10,000)~~ *($15,000)* for each violation. Any person who commits a second or subsequent violation that is the same as a prior violation or similar to a prior violation or whose intentional violation resulted or reasonably could have resulted in the creation of a hazard to human health or the environment or in the disruption of the market of the crop or commodity involved, shall be liable civilly in an amount not to exceed twenty-five thousand dollars ($25,000). Any money recovered under this section shall be paid into the Department of Food and Agriculture Fund for use by the department in administering the provisions of this division, and Division 6 (commencing with Section 11401).

SECTION 50.

Section 13000 of the Food and Agricultural Code is amended to read:

13000. ~~An~~ *Any* action brought pursuant to this article shall be commenced by the ~~director, the commissioner, the~~ Attorney General, the district attorney, the city prosecutor, ~~or~~ the city attorney, ~~as the case may be,~~ *the director, or the commissioner, as is appropriate,* within two years of the occurrence of the violation. However, when an investigation is completed and submitted to the director, the action shall be commenced within one year of that submission.

SECTION 51.

Section 13060 of the Food and Agricultural Code is amended to read:

13060. (a) ~~Commencing July 1, 1990, the~~ *The* department, in cooperation with the ~~State~~ Department of Health Services, shall conduct an assessment of *the* dietary risks associated with the consumption of produce and processed foods treated with pesticides. ~~This~~ *The* assessment *specified in this section* shall integrate ~~adequate~~ *any relevant* data on acute *toxicological* effects, *if any,* and the mandatory health effects studies specified in subdivision (c) of Section 13123, appropriate dietary consumption estimates, and relevant residue data based on the department's and the ~~State~~ Department of Health Services' monitoring data and appropriate field experimental and food technology information, to quantify consumer risk. *In conducting the assessment, the department shall consider* ~~Differences~~ *differences* in age, sex, ethnic, and regional consumption patterns ~~shall be considered~~. *In order to assure the adequacy of public health protection,* ~~The~~ *the* department shall submit each risk assessment *and supporting documentation* to the ~~State~~ Department of Health Services ~~, with necessary supporting documentation,~~ for peer review ~~, which shall consider the adequacy of public health protection~~. The ~~State~~ Department of Health Services may provide comments to the department. The department shall formally respond to all of the comments made by the ~~State~~ Department of Health Services. The department shall modify the risk assessment to incorporate the comments as deemed appropriate by the director. All correspondence between the department and the ~~State~~ Department of Health Services in this matter shall be made available to any

person, upon request, pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

(b) The department shall consider those pesticides designated for priority food monitoring pursuant to Section 12535 and the results of the department's or the ~~State~~ Department of Health Services' monitoring in establishing priorities for the dietary risk assessments.

(c) (1) If the department lacks adequate data on the acute effects of pesticide active ingredients or mandatory health effects studies specified in subdivision (c) of Section 13123 necessary to accurately estimate dietary risk, the department shall require the appropriate data to be submitted by the registrant of products whose labels include food uses. This subdivision shall not be construed to affect the time frames established pursuant to Section 13127.

(2) No applicant for registration, or current registrant, of a pesticide who proposes to purchase or purchases a registered pesticide from another producer in order to formulate the purchased pesticide into an end use product shall be required to submit or cite data pursuant to this section or offer to pay reasonable compensation for the use of any such data if the producer is engaged in fulfilling the data requirements of this section.

(d) (1) If ~~a~~ *the* registrant fails to submit the data requested by the director pursuant to this section within the time specified by the director, the director shall issue a notice of intent to suspend the registration of that pesticide. The director may include in the notice of intent to suspend any provisions that are deemed appropriate concerning the continued sale and use of existing stocks of that pesticide. Any proposed suspension shall become final and effective 30 days from the receipt by the registrant of the notice of intent to suspend, unless during that time a request for hearing is made by a person adversely affected by the notice or the registrant has satisfied the director that the registrant has complied fully with the requirements that served as a basis for the notice of intent to suspend. If a hearing is requested, a hearing shall be conducted pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. The only matter for resolution at the hearing shall be whether the registrant has failed to take the action that served as the basis for the notice of intent to suspend the registration of the pesticide for which additional data is required and whether the director's determination with respect to the disposition of existing stocks is consistent with this subdivision.

(2) A hearing shall be held and a determination made within 75 days after receipt of a request for ~~a~~ hearing. The decision rendered after completion of the hearing shall be final. Any registration suspended shall be reinstated by the director if the director determines that the registrant has complied fully with the requirements that served as a basis for the suspension of the registration.

(e) If the department finds that any pesticide use represents a dietary risk that is deleterious to the health of humans, the department shall prohibit or take action to modify that use or modify the tolerance pursuant to Section 12561, ~~or both,~~ *or cancel the tolerance,* as necessary to protect the public *health*.

SECTION 52.

Section 13061 of the Food and Agricultural Code is amended to read:

13061. *(a)* The department and the ~~State~~ Department of Health Services shall jointly review the existing federal and state pesticide registration and food safety system and determine if the existing programs adequately protect infants and children ~~from dietary exposure to pesticide residues. The review shall~~

~~commence as early as possible in 1990, so that any policy or administrative adjustments determined to be necessary as a result of the joint review can be made on a timely basis.~~ The department shall consult with the University of California and other qualified public and private entities *with scientific expertise* in conducting the joint review. ~~The joint review shall continue for a sufficient time in order to evaluate the report of infant exposure to pesticide residues, which is presently being undertaken by the National Academy of Sciences. Within six months of the official release of the National Academy of Sciences' study, the department shall finalize a report describing the evaluation that was conducted pursuant to this section, including any recommendations for modification of the existing regulatory system in order to adequately protect infants and children. A copy of this report shall be submitted to the Governor and the Legislature.~~ *The entities consulted should include representatives of the medical community and other health-based organizations, with special emphasis on those that focus on the health of infants and children.*

(b) The joint review shall consider all scientific reports which are, or become, available and which analyze the federal or state food safety program particularly in regard to children. By July 1, 1992, the departments shall jointly finalize a public report describing the evaluation and including recommendations, if necessary, for modification of the existing regulatory system to ensure the health and safety of infants and children. Copies of the report shall be submitted to the Governor and the Legislature and be made available to the public.

(c) Not later than January 1, 1991, the director, shall commence a statewide survey of food consumption among children. The survey shall take into account variations in consumption based on age, ethnic origin, socioeconomics, and geographic location. In preparing the survey, the director shall review the dietary intake data available from nationwide studies conducted by the United States Department of Agriculture and other applicable agencies, and shall identify supplemental information needed to characterize the nature of children's diet in the state.

SECTION 53.

Section 13062 is added to the Food and Agricultural Code to read:

13062. (a) For purposes of this section, the term "inert ingredients" means an ingredient in a pesticide which is not an "active ingredient" as defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C., Sec. 136(a)).

(b) The director may require any registrant that has registered a pesticide which contains an inert ingredient which has been listed by the United States Environmental Protection Agency as an Inert of Toxicological Concern (List 1), or any other inert ingredient which has been deemed by the director to be of significant toxicological concern, to submit appropriate and relevant acute toxicity, chronic toxicity, and residue data to the department for the inert ingredient in question.

(c) The director may set maximum time periods for the submission of data required pursuant to this section. Those time periods shall not exceed those set by the United States Environmental Protection Agency pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, or five years from the date the data is called to be submitted for review pursuant to this section, whichever is less.

(d) The director, in cooperation with the Department of Health Services, shall conduct an assessment of the risks associated with the consumption of raw agricultural commodities and processed foods that may contain residues of inert

ingredients referenced in subdivision (b). The assessment shall integrate an evaluation of data on acute and chronic health effects, dietary consumption estimates, and relevant residue data.

(e) If the director finds that any use of the pesticide containing an inert ingredient is deleterious to health because of the presence of the inert ingredient, the director shall take action to modify the pesticide registration or use as necessary to protect the health and safety of consumers including, but not limited to, suspension or cancellation of the registration of any pesticide containing the inert ingredient, as well as modification or cancellation of any established tolerances for pesticide formulations containing the inert ingredient.

(f) The director may require any registrant that has registered a pesticide which contains an inert ingredient specified in subdivision (b) to provide a practical analytical method for accurately determining its residues. The method shall allow the director to determine the residue on each crop within a continuous 24-hour period.

(g) Where there are multiple registrants of a pesticide containing an inert ingredient or where multiple pesticides use the same inert ingredient, the director shall facilitate the formation and coordination of a task force to provide the data required pursuant to this section.

SECTION 54.

Section 13063 is added to the Food and Agricultural Code to read:

13063. (a) There shall be a comprehensive review of priority pesticides For purposes of this section, the term "priority pesticide" is defined as any pesticide active ingredient for which a food residue tolerance has been established by the federal government or the department and which has been: (1) listed by the United States Environmental Protection Agency as a known or probable human carcinogen and published as final in the Federal Register; or (2) listed pursuant to Section 25249.8 of the Health and Safety Code as a chemical known to the state to cause cancer or reproductive toxicity.

(b) The director shall develop, in consultation with the Director of the Department of Health Services, a process for the review of priority pesticides.

(c) The Governor shall appoint a Scientific Advisory Review Panel for Priority Pesticides consisting of five experts with scientific expertise in pesticide residue impacts on human health. The panel will serve as an independent scientific advisory panel to the director as the review of priority pesticides is being conducted. The panel shall conduct its initial meeting on or before July 1, 1991. Members of the panel shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in connection with the performance of their official duties.

(d) For each priority pesticide, the panel shall review the relevant toxicity, exposure, and pesticide use data and determine if the pesticide use represents a "negligible adverse health effect risk" as defined in this section. The panel may also recommend to the director what action the panel believes should be taken to achieve the "negligible adverse health effect risk" level for the pesticide in question. The panel shall submit the results of its determination, and any recommendations, in writing to the director, the Director of Health Services, and the Governor. The panel shall also make those results and determinations available to the public.

(e) After review of the determinations and recommendations of the panel, the director shall make public in a written report the actions which the director determines should be taken relative to the priority pesticide in question.

(f) Actions which may be recommended or taken for purposes of subdivisions (d) and (e) include, but are not limited to, modifications to use, adjustments to pre-harvest intervals, modification, suspension, or cancellation of registration for particular food crops, or modification or cancellation of tolerances.

(g) Section 13060(c) and (d) shall be applicable to this section.

(h) The Governor may reorganize the governmental structure of the State to facilitate this review process pursuant to Section 12080.2 of the Government Code.

(i) The evaluation of priority pesticides shall include consideration of the following factors: (1) the nature of toxic effects caused by exposure to the pesticide; (2) the validity, completeness, and reliability of the data regarding the pesticide; (3) the necessity of the pesticide for the production of an adequate and wholesome food supply; and (4) any health related benefits related to the use of the pesticide.

(j) The reviews undertaken pursuant to this section shall be implemented so as to not exceed a negligible adverse health effect risk.

(k) For the known and probable human carcinogens and chemicals known to the state to cause cancer referenced in subdivision (a), the term "negligible adverse health effect risk" is defined as the level of dietary exposure to the pesticide residue below a level which would present a significant increased cancer risk, calculated using generally accepted scientific methods.

(l) For chemicals known to the state to cause reproductive toxicity, the term "negligible adverse health effect risk" is defined as the level at which the pesticide residue will not cause known adverse human reproductive health effects, including an appropriate margin of safety designated by the panel in accordance with generally accepted scientific methods.

(m) When either (1) the department recommends to the Health and Welfare Agency that a priority pesticide be considered for potential listing pursuant to Section 25249.8 of the Health and Safety Code or (2) the Health and Welfare Agency, Department of Health Services or the Safe Drinking Water and Toxic Enforcement Act Scientific Advisory Panel undertakes a review or risk assessment for a priority pesticide, the director shall submit to those entities a report on the relevant assessments, if any, conducted under Section 13063 and any relevant recommendations of the Scientific Advisory Review Panel for Priority Pesticides.

SECTION 55.

Section 13150.1 is added to the Food and Agricultural Code to read:

13150.1. The director may allow the continued registration, sale, and use of an economic poison which meets any one of the conditions specified in Section 13149, only if the director consults with the Director of Health Services and the chair of the State Water Resources Control Board prior to issuing a decision pursuant to Section 13150(c) and (d) regarding findings of the subcommittee.

SECTION 56.

Section 55861.7 of the Food and Agricultural Code is repealed.

~~55861.7. Notwithstanding Section 55861.5, in addition to the fee paid pursuant to Section 55861, each licensee shall pay a 50 percent surcharge to the director, in a form and manner prescribed by the director. This section shall not apply to those licensees the department determines should not be assessed due to the limited applicability of Sections 12535, 12797, 12798, 13060, and 13061 of this code or Section 26505.5 of the Health and Safety Code to those licenses, or because substantial economic hardship would result to individual licensees. Revenue received pursuant to this section shall be deposited in the Food Safety Account in~~

~~the Department of Food and Agriculture Fund. A penalty of 10 percent per month shall be added to any surcharge not paid when due.~~

SECTION 57.

Section 56571.7 of the Food and Agricultural Code is repealed.

~~56571.7. Notwithstanding Section 56571.5, in addition to the fee paid pursuant to Section 56571, each licensee shall pay a 50 percent surcharge to the director, in a form and manner prescribed by the director. This section shall not apply to those licensees the department determines should not be assessed due to the limited applicability of Sections 12535, 12797, 12798, 13060, and 13061 of this code or Section 26505.5 of the Health and Safety Code to those licenses, or because substantial economic hardship would result to individual licensees. Revenue received pursuant to this section shall be deposited in the Food Safety Account in the Department of Food and Agriculture Fund. A penalty of 10 percent per month shall be added to any surcharge not paid when due.~~

SECTION 58.

Section 12261 is added to the Government Code to read:

12261. (a) In order to respond to the need for a focused and exclusive effort to coordinate the implementation and enforcement of state laws related to the highly complex and technical regulation of food, pesticides, agriculture, and discharges of pesticide residues to sources of drinking water, the Secretary of Environmental Affairs shall also serve as the Environmental Advocate for Food, Water, and Worker Safety, and shall have primary and exclusive responsibility for the following actions·

(1) coordinating with state agencies regarding their responsibilities in implementing and enforcing the environmental laws of the state which relate to food, pesticides, agriculture, or discharges of pesticide residues to sources of drinking water;

(2) submitting recommendations to the Department of Food and Agriculture relative to implementing Section 14102 of the Food and Agricultural Code pertaining to the regulation of environmentally harmful materials; and

(3) coordinating with the Department of Food and Agriculture in implementing Section12798 of the Food and Agricultural Code pertaining to pesticide use reduction research

(b) The Secretary of Enviromental Affairs in the capacity of Environmental Advocate for Food, Water, and Worker Safety may review the enforcement of state laws related to food, pesticides, agriculture, and discharges of pesticide residues to sources of drinking water to determine whether legal enforcement action is appropriate. If the Secretary determines that legal enforcement action is appropriate and is not being pursued by the appropriate state, regional, or local agency, he or she shall bring the matter to the attention of the appropriate agency with jurisdiction. The agency shall respond to the Secretary within 60 days and provide a status report on the investigative or enforcement action which is underway, if any If, after reviewing the agency status report, the Secretary believes that the agency's action is not sufficient, he or she may bring the matter to the Attorney General for his or her action.

(c) The provisions of this subdivision shall become operative only if an Office of Environmental Advocate is created by the passage of an initiative measure in the General Election of 1990 and the provisions regarding that office are implemented.

(1) To ensure an effective coordination effort by the Secretary of Enviromental Affairs, in the capacity of Environmental Advocate for Food, Water, and Worker Safety, in the operation of state programs and enforcement of state laws related

to food, pesticides, agriculture, and discharges of pesticide residues to sources of drinking water, the Office of the Environmental Advocate shall have no authority relative to those areas of state law. Additionally, the Office of the Enviromental Advocate shall not:

(i) interfere with or affect the responsibilities or actions of the Director of the Department of Food and Agriculture pursuant to the Food and Agricultural Code or the status of the Department of Food and Agriculture as the lead agency with respect to the regulation of food, pesticides, and agriculture;

(ii) affect the responsibilities of agencies and departments which are directed to work jointly with, or to be consulted by, the Department of Food and Agriculture in the implementation of the Food and Agricultural Code;

(iii) interfere with or affect the responsibilities and actions of the Director of Health Services pursuant to the Health and Safety Code in respect to the regulation of food and pesticides;

(iv) interfere with or affect the responsibilities of the State Water Resources Control Board or the Regional Water Quality Control Boards in respect to discharges of pesticide residues to sources of drinking water; or

(v) affect implementation of Section 21080 5 and 21080.6 of the Public Resources Code concerning the certification of regulatory programs by the Secretary of the Resources Agency relative to programs which pertain to food, pesticides, agriculture, or discharges of pesticide residues to sources of drinking water.

(2) The Secretary of Environmental Affairs in the capacity of Environmental Advocate for Food, Water, and Worker Safety, or his or her designee, shall serve as a member of the Council on Environmental Quality.

SECTION 59.

Section 26001.1 is added to the Health and Safety Code to read:

26001.1. "Active ingredient" shall have the same meaning as "active ingredient" in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Section 136(a)).

SECTION 60.

Section 26015.1 is added to the Health and Safety Code to read:

26015.1. "Inert ingredient" means an ingredient that is not an active ingredient.

SECTION 61.

Section 26025 of the Health and Safety Code is amended to read:

26025. ~~"Pesticide chemical"~~ *"Pesticide" or "pesticide chemical"* means any substance which alone, in chemical combination, or in formulation with one or more substances, is an "economic poison" within the meaning of Section 12753 of the Food and Agricultural Code of this state or *a "pesticide" as defined in* the Federal Insecticide, Fungicide, and Rodenticide Act ~~(61 Stat. 163; 7 U.S.C., Sec. 135 et seq.),~~ *(7 U.S.C., Sec. 136(u)), including the "active ingredient" as defined in Section 26001 1 or "inert ingredient" as defined in Section 26015 1,* and which is used in ~~the~~ production, storage, or transportation of any raw agricultural commodity

SECTION 62.

Section 26205 of the Health and Safety Code is amended to read:

26205. (a) All pesticide regulations and any amendments to ~~these~~ *those* regulations adopted pursuant to the federal act, *as defined in Section 26011,* or the Food and Agricultural Code, which are in effect on November 23, 1970, or which are adopted on or after ~~this date,~~ *November 23, 1970,* are the pesticide

regulations in this state. The department may, by regulation, prescribe tolerances for pesticides in processed foods in this state whether or not these tolerances are in accordance with the regulations adopted pursuant to the federal act or the Food and Agricultural Code.

(b) Except as otherwise provided in this subdivision, the department shall evaluate the tolerance prescribed, or an exemption from a tolerance granted, for a pesticide in processed foods and make a determination whether or not the existing tolerance, or the exemption from a tolerance, is protective of the public health whenever any one of the following occurs:

(1) The Director of Food and Agriculture designates the pesticide as a restricted material pursuant to subdivisions (a) and (b) of Section 14004.5 of the Food and Agricultural Code.

(2) The Director of Food and Agriculture refuses to register or cancels the registration of the pesticide pursuant to Section 12825 *of the Food and Agricultural Code*, or suspends the registration of the pesticide pursuant to Section 12826~~,~~ of the Food and Agricultural Code, upon determining that the pesticide is detrimental to the public health and safety.

(3) The Director of Food and Agriculture adopts regulations restricting worker entry into areas treated with the pesticide pursuant to Section 12981 of the Food and Agricultural Code.

(4) The pesticide is the subject of a proceeding pursuant to a determination by the *United States* Environmental Protection Agency under paragraph (3) (i) (A), (3) (ii) (A), (3) (ii) (B), or (3) (iii) of subsection (a) of Section 162.11 of Title 40 of the Code of Federal Regulations.

The requirement to evaluate a tolerance prescribed, or an exemption from a tolerance granted, for a pesticide does not apply if the department finds that any of the actions described in paragraphs (1) to (4), inclusive, occurred for reasons that are not related to the question whether or not the existing tolerance, or the exemption from a tolerance, adequately protects the public health. If the department makes such a finding, the reasons for the finding shall be stated in writing.

(c) The determination required by subdivision (b), and the reasons for the determination, shall be stated in writing. If the determination is required because any of the actions described in paragraphs (1) to (4), inclusive, of subdivision (b) occurs after January 1, 1985, the determination shall be completed within one year of the date of the action. If the determination is required because any of those actions occurred prior to January 1, 1985, the determination shall be completed by January 1, 1990.

(d) In any case where the department, after consultation with the Department of Food and Agriculture, determines, pursuant to subdivision (b), that the tolerance prescribed, or an exemption from a tolerance granted, for a pesticide is not protective of the public health, the department shall, if it does not act immediately pursuant to subdivision (a), transmit notice of its determination to the responsible federal agencies and shall request that they take action, pursuant to the federal act, to modify the tolerance or an exemption from a tolerance. If, after one year from the date the notice is transmitted, the department finds that the responsible federal agencies have failed to take appropriate action to protect the public health, the department shall exercise its authority pursuant to subdivision (a) to prescribe a tolerance that is protective of the public health and shall notify the responsible federal agencies of its action.

SECTION 63.

Section 26206 of the Health and Safety Code is amended to read:

26206. All food additive regulations and any amendments to ~~such~~ *those* regulations adopted pursuant to the federal act, *as defined in Section 26011,* which are in effect on November 23, 1970, or which are adopted on or after ~~such date,~~ *November 23, 1970,* are the food additive regulations of this state. The department may ~~, by regulation,~~ prescribe *by regulation* conditions under which a food additive may be used in this state whether or not such conditions are in accordance with the regulations adopted pursuant to the federal act.

SECTION 64.

Section 26505.6 is added to the Health and Safety Code to read:

26505.6. (a) The department shall expand and maintain its annual program to monitor processed foods for pesticide residues, chemicals, microbes, and other contaminants of health concern. The department shall monitor at least twice the number of samples of processed foods sampled by the department in 1990.

(b) The department shall continue its emphasis on contaminants of greatest health concern considering the likelihood that the contaminants may be present in foods, the likely quantities of the contaminants that might be consumed by the general population and sensitive subpopulations, with special emphasis on infants and children, and the likelihood that the contaminants are concentrated or altered by processing Contaminants of greatest health concern include but are not limited to those food use pesticides identified in Section 12535 of the Food and Agricultural Code.

(c) The monitoring program under subdivision (a) shall include processed foods that are not produced or processed in this state The department shall design the expanded monitoring program so that the department increases the percentage of samples taken from processed foods that are not produced or processed in this state above the percentage monitored in 1990. The focus on monitoring imported commodities is necessary because: (1) commodities produced outside of California are not supported by records of pesticide use which assist state agencies in providing meaningful monitoring and regulatory action and (2) such commodities may be grown with pesticides which are not registered in California or with pesticides applied under conditions not allowed in California.

(d) Prior to July 1, 1991, the department shall commence a study, utilizing the results of the department's monitoring program, to review and determine:

(1) the potential concentration of pesticide residues from processing and any health effects relating thereto; and

(2) the extent to which processed foods are part of the diet of infants and children.

SECTION 65.

Section 26506.6 of the Health and Safety Code is repealed.

~~26506.6. In addition to the fee paid pursuant to Section 26506.2, each registrant shall pay a surcharge of one hundred dollars ($100) to the director, in a form and manner prescribed by the director. This section shall not apply to those registrants the department determines should not be accessed due to limited applicability of Sections 12535, 12797, 12798, 13060, and 13061 of the Food and Agricultural Code or Section 26505.5 of this code to those registrants, or because substantial economic hardship would result to individual registrants. Revenue received pursuant to this section shall be deposited in the Food Safety Account in the Department of Food and Agriculture Fund. A penalty of 10 percent per month shall be added to any surcharge not paid when due.~~

SECTION 66.

Section 26509 of the Health and Safety Code is amended to read:

26509. (a) Every laboratory or other person which performs or which brokers or otherwise arranges for the performance of pesticide chemical analysis on food shall report to the appropriate state agency any finding of pesticide chemical residues in a food for which no chemical residue tolerance has been established or that is in excess of federal or state residue tolerances or tolerances for a pesticide suspended, banned, or otherwise not permitted by the Department of Food and Agriculture or the United States Environmental Protection Agency, if the food is in the channels of trade. The report shall be made as soon as possible, and in any event, ~~not later than~~ *within* 24 hours after the analyzing laboratory makes the finding. Findings on raw agricultural commodities and dairy products shall be reported to the Department of Food and Agriculture. Findings on all other foods shall be made to the ~~State~~ Department of Health Services.

(b) For ~~the purpose~~ *purposes* of reporting findings regarding raw agricultural commodities, "in the channels of trade" means the point at which the raw agricultural commodities leave the farm, including raw agricultural commodities bound for processing up to the point that processing is initiated. For the purpose of reporting findings in processed foods, "in the channels of trade" means at the point the processed food leaves the direct control of the processor, which means either that the product is not located on the premises owned by, or under the control of, the processor or a portion of the product has been released for sale or use.

(c) The person submitting the food for pesticide chemical analysis to a laboratory or other person shall certify in writing, at the time the sample is submitted for analysis, whether or not the food has entered the channels of trade, and if not, whether or not the food will enter the channels of trade prior to the communication of the test results to the person submitting the food for analysis Absent that certification, the laboratory or person receiving the food for chemical analysis shall presume that the food has entered the channels of trade and make the report or reports required by subdivision (a)

(d) The department shall adopt standarized reporting guidelines for laboratories and shall provide laboratories with those guidelines and a list of citations and other sources of information regarding applicable pesticide chemical tolerances.

(e) The department shall provide to the reporting laboratory or other person, within a reasonable time, a written description of any additional information the department requests regarding the sample in question.

SECTION 67.

Section 26509.1 is added to the Health and Safety Code to read:

26509 1 Every laboratory or other person subject to Section 26509 shall maintain records of the results of each pesticide residue test performed for a period of two years after the date the test was performed

SECTION 68.

Section 26509.2 is added to the Health and Safety Code to read:

26509.2. (a) Every laboratory or other person subject to Section 26509 shall report quarterly to the Department of Food and Agriculture, without reference to the specific entity for which the analysis was performed, the following general summary information for tests conducted on food in the channels of trade during the prior quarter·

(1) the commodity tested,

(2) the analytical tests performed;
(3) the pesticides detected;
(4) the levels at which the pesticides were detected;
(5) the samples analyzed that had no pesticides detected.
(b) The quarterly reports shall be designed to assist the regulatory agencies in augmenting the State's statistical information base on pesticide residues in food.
(c) Section 26509(b), (c), and (d) shall be applicable to this section.

SECTION 69.

Section 26522.5 is added to the Health and Safety Code to read:

26522.5. Food imported into California containing a detectable pesticide residue shall be regarded as adulterated if any of the following conditions exist: (1) the registration for the pesticide has been cancelled or suspended for use on that commodity in California; (2) the pesticide residue is in excess of a food residue tolerance or action level; or (3) the registrant has applied for California registration for the pesticide and the Department of Food and Agriculture has determined that the pesticide does not meet the Department of Food and Agriculture's registration criteria.

SECTION 70.

Section 26801 of the Health and Safety Code is amended to read:

26801. Any person ~~who violates~~ *convicted of violating* any provision of this division or any regulation adopted pursuant to this division shall ~~, if convicted,~~ be subject to imprisonment for not more than one year in the county jail or a fine of not more than ~~one thousand dollars ($1,000)~~ *one thousand five hundred dollars ($1,500)* , or both the imprisonment and fine. If the violation is committed after a previous conviction under this section which has become final, or if the violation is committed with intent to defraud or mislead, the person shall be subject to imprisonment for not more than one year ~~in the county jail, imprisonment in state prison,~~ or a fine of not more than ten thousand dollars ($10,000), or both the imprisonment and fine.

SECTION 71.

Section 26802 of the Health and Safety Code is amended to read:

26802 ~~One-half~~ *One-quarter* of all fines collected by any court or judge for any violation of any provision of this division shall be paid into the State Treasury to the credit of the General Fund *and one-quarter shall be paid into the Food Safety Fund created by Section 26200.5* .

SECTION 72.

Section 6393 of the Labor Code is amended to read:

6393. The manufacturer shall be relieved of the obligation to provide a specific purchaser of ~~a~~ hazardous substance with an MSDS pursuant to Section 6390 if the manufacturer has a record of having provided the specific purchaser with the most current version of the MSDS, ~~if the product is labelled pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended,~~ or if the product is one sold at retail and is incidentally sold to an employer or the employer's employees, in the same form, approximate amount, concentration, and manner as it is sold to consumers, and ~~,~~ to the seller's knowledge, employee exposure to the product is not significantly greater than the consumer exposure occurring during the principal consumer use of the product. Except for products so labelled, ~~the provisions of~~ this section ~~do~~ *shall* not relieve the manufacturer of the requirement to provide direct purchasers with new, revised, or later information or MSDS pursuant to ~~the provisions of~~ Section 6390.

SECTION 73.

Section 6397 of the Labor Code is amended to read:

6397. (a) Any person other than a manufacturer who sells a mixture or any hazardous substance shall provide its direct purchasers of the mixture or hazardous substance at the time of sale with a copy of the most recent MSDS or equivalent information prepared and supplied to the person pursuant to either Section 6390 or subdivision (b) whenever it is foreseeable that the provisions of this chapter may apply to the purchaser.

(b) Any person who produces a mixture may, for the purposes of this section, prepare and use a mixture MSDS, subject to ~~the provisions of~~ Section 6395.

(c) Any person subject to ~~the provisions of~~ subdivision (a) shall be relieved of the obligation to provide a specific purchaser of a hazardous substance with an MSDS if he or she has a record of having provided the specific purchaser with the most recent version of the MSDS, ~~if the product is labelled pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended,~~ or if the product is one sold at retail and is incidentally sold to an employer or the employer's employees, in the same form, approximate amount, concentration, and manner as it is sold to consumers, and, to the seller's knowledge, employee exposure to the product is not significantly greater than the consumer exposure occurring during the principal consumer use of the product.

SECTION 74.

Section 6399.1 of the Labor Code is amended to read as follows:

6399.1. Compliance with regulations of the Director of Food and Agriculture issued pursuant to ~~Section 12981~~ *Article 10.5 of Chapter 2 of Division 7* of the Food and Agricultural Code shall be deemed compliance with the obligations of an employer ~~toward~~ *towards* his or her employees under this chapter.

SECTION 75.

Section 21080.6 of the Public Resources Code is added to read:

21080.6. The certification of the pesticide regulatory program pursuant to Section 21080.5 shall be reviewed by the Secretary of the Resources Agency and a recertification decision issued prior to January 1, 1993. The purpose of such review is to render an updated review of programs presently being implemented pursuant to the existing law and regulations so that the Secretary can determine if these revised and present programs qualify as functionally equivalent to the environmental protection afforded under Section 21080.5.

SECTION 76.

Section 32006 is added to the Vehicle Code to read:

32006. (a) It shall be unlawful for any tank truck carrier or vacuum truck carrier to transport food in any tank truck, tank truck trailer, vacuum type tank truck, or vacuum type tank truck trailer that is also used to transport hazardous materials.

(b) For purposes of this section, the following definitions shall apply:

(1) Food is defined by Section 26012 of the Health and Safety Code.

(2) Tank truck carrier is defined by Section 3522 of the Public Utilities Code.

(3) Vacuum truck carrier is defined by Section 3523 of the Public Utilities Code.

(4) Hazardous materials is defined by Section 353 of the Vehicle Code.

(c) Any carrier who violates this section, in addition to any other penalty provided by law, is subject to a civil penalty of not less than one thousand dollars ($1,000) or more than five thousand dollars ($5,000) for each violation.

(d) Any carrier who violates this section is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than five hundred dollars

($500) nor more than two thousand five hundred dollars ($2,500), or by imprisonment of not less than 10 days nor more than six months, or both by fine and imprisonment. Each violation constitutes a separate offense.

(e) The Departments of Health Services, Food and Agriculture, and Transportation shall jointly conduct a study to review the extent to which food is hauled by tank truck carriers or vacuum truck carriers in vehicles or trailers that also carry hazardous materials and develop recommendations on additional programs or legislative reforms to further protect food during transport. The departments shall report the results of this study to the Governor and to the Legislature no later than December 1, 1991.

SECTION 77.

Section 13052 is added to the Water Code to read:

13052. As used in this division, "pesticide" means an economic poison as defined in Section 12753 of the Food and Agricultural Code

SECTION 78.

Section 13173 is added to the Water Code to read:

13173. No later than July 1, 1991, the board shall adopt statewide water quality objectives for those pesticides which are listed as toxic pollutants pursuant to Section 307 of the Federal Clean Water Act and which the discharge or presence of in the affected waters of the state could reasonably be expected to interfere with beneficial uses. In developing those objectives, the state board shall consider the criteria for water quality developed and published by the United States Environmental Protection Agency pursuant to Section 304 of the Federal Clean Water Act and the latest scientific knowledge regarding the type and extent of effects on beneficial uses.

SECTION 79.

Section 13174 is added to the Water Code to read:

13174. The state board shall, on or before January 1, 1992, develop and implement a program for the monitoring and evaluation of pesticide residues and chemical residues in waters of the state. The program shall focus on pesticide residues and chemical residues which may be discharged into waters of the state and which may cause adverse impacts to waters of the state if present in sufficient quantities.

SECTION 80.

Section 13175 is added to the Water Code to read:

13175 By January 1, 1993, the state board, in consultation with the regional boards, shall implement a Nonpoint Source Management Plan The purpose of the plan will be to ensure, through the implementation of best management practices, that relevant and applicable water quality objectives, including those for pesticide residues, are achieved in waters of the state within reasonable time periods. In implementing the provisions of the plan which relate to pesticide residues, the state board shall consult with the Department of Food and Agriculture and consider information gained from the program specified in Section 13174.

SECTION 81.

Section 13241.1 is added to the Water Code to read:

13241.1. By January 1, 1993, each regional board, in consultation with the state board, shall review existing water quality standards and objectives related to chemicals set forth in the regional board's water quality control plan to determine whether the objectives are based on consideration of actual risks to public health and the environment. Each regional board, shall, after a public

hearing, revise existing water quality standards and objectives, as necessary, in order to incorporate considerations of actual risks to public health and the environment.

SECTION 82.

Section 13242.1 is added to the Water Code to read:

13242.1. Each regional board shall by January 1, 1995, review its water quality control plan and the implementation of the state's Nonpoint Source Management Plan and best management practices in its region to determine whether relevant and applicable water quality objectives related to chemicals are being achieved within reasonable time periods.

SECTION 83.

Section 13263.3 is added to the Water Code to read:

13263.3. Each regional board shall by January 1, 1994, review its water quality control plan and point source discharge permits and waste discharge requirements to determine whether the existing permits and requirements are consistent with the plan. In the renewal review for the permits and requirements, each regional board shall ensure that its permits and requirements are revised, if necessary, to be consistent with the plan.

SECTION 84.

Should this initiative measure, the Environmental Protection Act of 1990, and any other initiative measure in this election dealing with pesticide enforcement for food, water, and worker safety be passed, the initiative with the greater number of votes should be implemented in its entirety at the exclusion of any components of the Environmental Protection Act of 1990 or any other initiative measure dealing with pesticide enforcement for food, water, and worker safety.

SECTION 85.

If any provision of this initiative measure, or the application of that provision to any person or circumstances, is held invalid, the remainder of this initiative measure, to the maximum extent it can be given effect, or the application of the provision to persons or circumstances other than those to which it is held invalid, shall not be effected thereby, and to this end the provisions of this initiative measure are severable.

SECTION 86.

The provisions of this initiative measure shall be amended by the Legislature to further its purposes by a statute passed in each house, two-thirds of each membership concurring.

SECTION 87

It is the intent of the people that the provisions of this initiative measure constitute an integrated and comprehensive set of statutory amendments for reform of pesticide enforcement for food, water, and worker safety. The people find that these amendments present a balanced reform package and it is their intent that additional, simultaneous burdens related to the same subject not be placed on state and local governments, food producers, food processors, or the public who depend upon an adequate supply of nutritious food. Accordingly, it is the intent of the people to implement this initiative measure relating to pesticide enforcement for food, water, and worker safety to the exclusion of the Environmental Protection Act of 1990 or any other initiative measures which may be adopted at the same time on the same subject. To that end, if this initiative measure receives a higher number of votes than the Environmental Protection Act of 1990 or another initiative measure at the same election, such initiative measures to the extent they regulate pesticide enforcement for food, water, and

worker safety shall be deemed to be inconsistent with this initiative measure within the meaning of Section 10 subdivision (b) of Article II of the California Constitution.

Number on ballot

138. **Forestry Programs. Timber Harvesting Practices. Bond Act.**

[Submitted by the initiative and rejected by electors November 6, 1990.]

PROPOSED LAW

TITLE ONE

Section 1.

This initiative shall be known as the Global Warming and Clearcutting Reduction, Wildlife Protection and Reforestation Act of 1990.

TITLE TWO

Section 2.

The people of the State of California find and declare:

1. There is evidence that widespread use of fossil fuels, conversion of South American forests to agricultural use, urban development and the toxic emissions of industry are all contributing to the gradual warming of the earth's atmosphere.

2. Global warming may have a major impact on California, including massive forest fires, reduction of wetlands, flooding of coastal areas and the loss of prime food producing land.

3. It is important to the long-term economic and physical health of the people of California to act now, as the first state to take reasonable steps to avoid the devastation of global warming.

4. The forests of this state, whether privately owned or owned by the federal or state governments, should be managed and utilized in a manner that makes a substantial contribution to lowering of carbon dioxide levels in the atmosphere

5. It is in the public interest to plant trees in urban areas because growing trees helps remove carbon dioxide from the atmosphere and reduce energy use.

6. The most effective steps toward protection from global warming can be achieved with a fair and careful balance of the public's right to a healthy, high-quality environment and the preservation of private property rights.

7. Reforestation and other forest resource improvement projects in California's wildland areas will enhance wildlife habitat, increase bio-diversity for the long-term health of ecosystems and stabilize watersheds and water quality.

8. Timber harvesting in this state should be conducted in a manner that protects all species listed under state or federal law as Threatened or Endangered, and other species of special concern identified by the State Board of Forestry. Therefore, fish and wildlife management plans, prepared by a certified wildlife biologist, shall be part of long-term timber management plans.

9. It is the policy of this State to ensure that healthy forests are maintained for future generations and that more trees are planted than are harvested.

10. Clearcutting of old-growth forests shall be prohibited, except when it is essential to stop the spread of disease or harmful insects, or to salvage fire-damaged timber.

11. Clearcutting of forests other than old growth shall be substantially reduced.

12. It is the objective of this state to encourage the continued existence of a viable private timber industry in California and maintain a skilled and healthy labor force. Therefore, the export of raw unprocessed logs from this state to foreign countries should be prohibited.

13. California's old growth redwood forests now in state parks must continue to be protected. Four expansions to existing state parks are hereby authorized.

14. Private timberland owners should be encouraged to open suitable portions of their property to the public for recreational purposes.

Section 3.

Declarations of Purpose. The purposes of this initiative are:

A. To enhance and protect the environment by:

1. Authorizing and requiring timber management practices and other programs that diminish carbon dioxide production and increase oxygen production from forests and other lands in California;

2. Prohibiting clearcutting of old growth timber except in very narrow circumstances where it is essential; and substantially reducing clearcutting of other forest lands.

3. Authorizing and providing funding for research into the relationship between California, national, and worldwide forestry practices and global warming trends, and into development of a statewide geographic inventory system to be used to assure the maintenance and enhancement of habitats for both game and non-game wildlife in the forests of this state.

B. To protect and enhance certain state parks containing old growth redwood trees by authorizing the state to purchase or condemn as buffers privately owned timberlands that are contiguous to specified parklands.

C. To balance timber production and wildlife protection objectives by requiring the owners of large tracts of timberland to prepare and implement wildlife management plans and long-term timber management plans.

D. To encourage private timberland owners to open portions of their property to the public for recreational purposes.

E To request Congress to prohibit the foreign export of unprocessed logs produced on state or privately owned timberland in California.

F. The statements of policy and purpose here and throughout this Act imply substantive and affirmative obligations incumbent upon government agencies in California and, whenever appropriate, they are enforceable.

TITLE THREE

Section 4.

Chapter 6 (commencing with Section 4820) is added to Part 2.5 of Division 4 of the Public Resources Code, to read:

Article 1. General Provisions

4820. This Chapter shall be known as the Global Warming Protection and Urban Reforestation Program.

4821. As used in this Chapter, the following terms have the following meanings:

(a) "Committee" means the Reforestation and Urban Forestry Finance Committee created pursuant to Section 4822.

(b) "Department" means the Department of Forestry and Fire Protection.

(c) "Forest Land" means land at least 10 percent occupied by forest trees of any size, or formerly having had that tree cover, and not currently zoned for uses incompatible with forest resource managment.

(d) "Forest resource improvement projects" means all of the following:

(1) Site preparation.

(2) Planting and costs of seeds and seedlings.

(3) Young growth stand improvement.

(4) Forest land conservation measures, consisting of measures designed to protect, maintain, or enhance the forest resource system, including soil and watershed values and diversity of forest species

(5) Fish and wildlife habitat improvement, consisting of measures designed to protect, maintain, or enhance fish and wildlife habitat, including, but not limited to, stream clearance, reestablishment of desirable vegetation along stream channels and elsewhere, measures to encourage habitat diversity, and restoration of anadromous fisheries.

(6) Follow up work, consisting of work necessary to promote the survival of seed or seedlings planted, or protection or enhancement of other work undertaken, as part of a prior forest resource improvement project.

(e) "Fund" means the Reforestation and Urban Forestry Fund of 1990 created pursuant to Section 4822.

(f) "Hardwood range land" means non-conifer land on which it is biologically and technically feasible to carry a 10 percent canopy at maturity of native hardwoods (excluding eucalyptus), including heavily tree-covered land, woodland, savanna, and grassland.

(g) "Smaller nonindustrial landowner" means an owner of 5,000 acres or less of forest land or hardwood range land.

Article 2. Reforestation and Urban Forestry Program

4822. The proceeds of bonds issued and sold pursuant to this Chapter shall be deposited in the California Reforestation and Urban Forestry Fund of 1990, which is hereby created

4823. All money deposited in the fund shall be available upon appropriation by the Legislature, for expenditure by the Department, in accordance with Section 4826, for the purposes set forth in this section, in amounts not to exceed the following:

(a) One hundred twenty million dollars ($120,000,000) for loans and grants to smaller nonindustrial landowners for forest resource improvement and reforestation projects on forest land or hardwood range land pursuant to Chapter 1 (commencing with Section 4790).

(b) Eighty million dollars ($80,000,000) for allocation by the department as follows:

(1) Forty million dollars ($40,000,000) for grants to state agencies, counties, cities, park districts, and other state or public agencies to rehabilitate and restore publicly owned forest land, parks, wildlife habitat, and other natural lands through reforestation, tree planting, and other forest resource improvement projects, giving emphasis to those lands which have been substantially damaged or degraded by fire, flood, insects, disease, other natural causes, or past misuse.

(2) Forty million dollars ($40,000,000) for grants to public land trusts and nonprofit organizations to rehabilitate and restore forest land, wildlife habitat, and other natural lands through reforestation and other forest resource improvement projects, giving emphasis to those lands substantially damaged or degraded by fire, flood, insects, disease, other natural causes, or past misuse.

(c) One hundred million dollars ($100,000,000) for grants to local governmental agencies and nonprofit organizations for urban forestry projects pursuant to Section 4822.

4824. (a) The Department shall establish a program to make grants of the money available pursuant to subdivision (c) of Section 4821 to local governmental agencies and nonprofit organizations of urban forestry projects in accordance with the goals and criteria specified in this section.

(b) The purpose of grants awarded pursuant to this section is to further the following goals:

(1) Provide the greatest positive impact on air quality, energy conservation, elimination of "greenhouse" gases, reduction of surface water runoff, and other environmental and aesthetic benefits from tree planting, in light of all the goals specified in this section.

(2) Ensure long-term management, utilization and maintenance of the trees planted.

(3) Incorporate community involvement and participation into every urban forestry project funded, and encourage cooperation between the community and local agencies in designing and implementing urban forestry projects.

(4) Encourage urban forestry projects which will inspire or stimulate subsequent or additional privately funded projects.

(5) Encourage the planting of tree species appropriate and adapted to the soil and climate conditions of the project area, with particular emphasis on native and drought-tolerant species

(6) Facilitate interaction between urban dwellers and the natural environment and ensure public accessibility to the trees planted, with particular focus on low-income neighborhoods and areas where the public has limited access to greenery or open space

(c) Within 120 days after the effective date of this Chapter, the Department shall adopt criteria and guidelines for the awarding of the grants specified in this section. The criteria and guidelines shall be designed to accomplish the goals specified in subdivision (b) this section.

(d) The Department shall convene an Advisory Committee to assist in preparing the criteria and guidelines specified in subdivision (c) this section and to select the projects to be funded. The Advisory Committee shall consist of not less than seven or more than 25 members, who may be members of the public, representatives of local governmental agencies and nonprofit organizations, and horticultural or forestry professionals.

(e) At a minimum, urban forestry projects funded pursuant to this section shall meet all of the following requirements:

(1) The owners of the trees proposed to be planted shall certify that the trees will be maintained over the lifetime of the trees, or the project applicant shall demonstrate through some other appropriate mechanism that the trees will be properly cared for and maintained.

(2) The city or county in which the trees are to be planted has developed a long-term urban tree management plan or intends to develop one

(3) Grant applicants shall provide a contribution of materials, services, equipment, or money.

(f) A project which proposes to plant trees on private property is eligible for funding pursuant to this section if the project meets the requirements specified in this section.

No funds provided for by this act may be utilized to meet restocking requirements imposed by the Z'berg-Nejedly Forest Practices Act.

Article 3. Miscellaneous Provisions

4825. (a) To the maximum degree feasible, with respect to funds allocated for reforestation, public planting, or other forest resource improvement projects pursuant to subdivision (b) of Section 4823, the Department shall give emphasis to those projects utilizing native species. The Department shall also take steps to ensure that seedlings are adapted to the planting site and represent appropriate diversity of conifer and deciduous forest tree species.

(b) In order to ensure that trees planted with funds allocated pursuant to Section 4823 are alive and healthy, and that the program is cost-effective, the Department, through operation of the existing state forest nursery system and in cooperation with private nurseries, shall ensure that scientifically sound methods and technologies are utilized for collecting seed, propagating seedlings, preparing planting sites, and planting trees.

(c) To the extent possible, the Department shall require that a significant portion of the tree seedlings needed for reforestation purposes and public planting be obtained from private industry, if the standards specified in subdivision (b) are met.

4826. The Department shall encourage use of California Conservation Corps members, conservation camp inmates, and wards to implement reforestation and other forest resource improvement projects financed with funds allocated pursuant to Section 4823, subject to the consent of the affected landowner or land management agency.

4827. All administrative costs and related contract expenses incurred by the Department that are related to reforestation, forest resource improvement, and urban forestry projects conducted pursuant to Sections 4823 and 4824 shall be financed from the Forest Resources Improvement Fund Proposed expenditures for these purposes shall be included in a section of the Budget Bill for the 1991–92 fiscal year and each succeeding fiscal year for consideration by the Legislature.

4828. (a) Appropriations from the Fund shall be included in a section of the Budget Bill for the 1991–92 fiscal year and each succeeding fiscal year for consideration by the Legislature and shall bear the caption "California Reforestation and Urban Forestry Program." The section shall contain separate items for each class of project or each element of the program for which an appropriation is made.

(b) The appropriations are subject to all limitations enacted in the Budget Act and to all fiscal procedures prescribed by law with respect to the expenditure of state funds unless expressly exempted from those laws by a statute enacted by the Legislature. The Budget Act shall contain proposed appropriations only for the program elements and classes of projects contemplated by this Chapter, and no funds derived from the bonds authorized by law for the purposes of this Chapter may be expended pursuant to an appropriation not contained in those sections of the Budget Act.

Article 4. Fiscal Provisions

4830. Bonds in the total amount of three hundred million dollars, ($300,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this Chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the

punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

4831. The bonds authorized by this Chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this Chapter and are hereby incorporated in this Chapter as though set forth in full in this Chapter.

4832. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this Chapter, the Reforestation and Urban Forestry Finance Committee is hereby created. For purposes of this Chapter, the Reforestation and Urban Forestry Finance Committee is "the Committee" as that term is used in the State General Obligation Bond Law. The Committee consists of the Controller, the Treasurer, the Director of Finance, and the Director of Forestry and Fire Protection, or their designated representatives. The Director of Forestry and Fire Protection shall serve as chairperson of the Committee. A majority of the Committee may act for the Committee.

(b) For purposes of the State General Obligation Bond Law, the Department is designated the "Board."

4833. The Committee shall determine whether or not it is necesssary or desirable to issue bonds authorized pursuant to this Chapter in order to carry out the actions specified in Section 4823 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

4834. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

4835. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this Chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this Chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 4836, appropriated without regard to fiscal years.

4836. For the purposes of carrying out this Chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the Committee to be sold for the purpose of carrying out this Chapter. Any amounts withdrawn shall be deposited in the Fund. Any money made available under this section shall be returned to the General Fund from money received from the sale of bonds for the purpose of carrying out this Chapter.

4837. All money deposited in the Fund which is derived from premium and accrued interest on bonds sold shall be reserved in the Fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

4838. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of the State General Obligation Bond Law.

4839. The people hereby find and declare that, inasmuch as the proceeds from the sale of bonds authorized by this Chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that Article.

TITLE FOUR

Section 5.

Section 4582.1 is added to the Public Resources Code to read:

4582.1. (a) The silvicultural method of clearcutting, is banned in any old-growth private timber in California. "Old-growth timber" for the purposes of this section means timber that is naturally occurring, i.e. not planted, on lands that are at least 10 acres in size, which have not previously been subjected to commercial harvest or on lands that are at least 10 acres in size which average 10 or more trees per acre which are 200 years old or older. "Clearcutting" for the purposes of this section means the removal of all trees in a defined area at one time such that after harvest, the removal does not meet the stocking standards of Public Resources Code Section 4561.

(b) To further effect a 50% reduction of all timberland acreage harvested by the silvicultural technique of clearcutting by the end of 1995, for all private timberland in the State of California not subject to subsection (a) above, the use of clearcutting shall be subject to the following restrictions:

(1) For timberland owners who have used clearcutting to harvest more than 20% of their average annual acreage harvested during the 5-year period ending December 31, 1989, the 1991 maximum acreage available for clearcutting shall be the average annual acreage harvested by the clearcut method during the 5 years ending December 31, 1989, reduced by 10%

(2) In each succeeding year, from 1992 through 1995, for each timberland owner subject to paragraph (1) above, the acreage available for clearcutting shall be reduced again by the acreage reduction calculated in (1) above.

(3) For timberland owners not subject to (b) (1) & (2) above, the use of clearcutting shall be restricted to no more than 10% of the acreage harvested per year.

(c) Subsection (a) & (b) do not apply to the harvest of Christmas trees, hardwood tree plantations, authorized emergency sanitation cuttings necessary to control outbreaks of disease or insect pests, operations to salvage dead or dying trees, construction of fuel breaks and roadways, or to harvests for which no timber harvest plan is required.

(d) In every case where clearcutting is utilized, except situations exempted by subparagraph (c), the long-term timber management plan or timber harvest plan pursuant to which the harvesting occurs must require a visual set back or buffer zone where no clearcutting shall occur of at least 100 feet between the harvest area and all state highways, parks and other publicly owned recreational areas.

(e) Subsection (a) & (b) of this section do not prohibit utilization of the other silvicultural techniques authorized by the Board of Forestry and designed to achieve even aged timber management. These techniques may continue to be utilized as authorized by the rules of the Board. In its rules, except as provided in this section, the Board may not ban, throughout the state, any silvicultural technique such as seed tree, shelterwood, overstory removal or selection without regard to the differences in such factors relevant to the effects of harvesting upon

timber production and the environment such as, without limitation, geography, type of species, age, previous harvesting techniques employed and the intensity of management already being practiced.

(f) By 1996, after operation of this Chapter, the Board of Forestry shall undertake a statewide assessment of the clearcut reduction program required by this section to determine its impacts upon production of wood fiber, affordable housing, wildlife populations and habitat, rural economic stability, timberland productivity and timber industry viability and employment.

(g) On all areas lawfully clearcut in accordance with the provisions of this section, a minimum of 300 trees per acre shall be established in accordance with Section 4561 of Act 5, Chapter 8 of Part 2 of Division 4 of Public Resources Code, to reforest the site harvested

TITLE FIVE

Section 6.

Chapter 5 (commencing with Section 4800), Part 2.5 of Division 4 of the Public Resources Code is amended to read:

CHAPTER 5. TIMBERLAND WILDLIFE *AND GLOBAL WARMING* STUDY

4800. It is the intent of the ~~Legislature~~ *people*, in enacting this ~~chapter~~ *Chapter*, to do all of the following.

(a) To provide coordination on wildlife and timberland issues ~~within the Resources Agency~~.

(b) To improve and coordinate the state data bases for use in analyzing the *direct and* cumulative impacts of timber harvesting ~~pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000)),~~ *including the relationships of commercial forestry in the State of California to both the enhancement or diminishment of forest habitat for game and non-game wildlife species including fish, and any regional, national and global warming trend caused or increased by the "greenhouse effect."*

(c) To improve the technical basis upon which the Department of Fish and Game predicates recommendations for mitigating site-specific and cumulative effects on wildlife from timber harvesting activities.

(d) To develop a statewide geographic inventory system that can be used to assure the maintenance of habitat for both game and non-game wildlife species.

(e) To improve the technical basis upon which long-term timber management plans and wildlife management plans may be prepared by registered professional foresters and certified biologists as required by law.

~~(d)~~ *(f)* To provide recommendations to the ~~board~~ *Board of Forestry* concerning creation of a list of species of special concern for which additional forest practices rules may be needed.

~~(e)~~ *(g)* To provide recommendations to the Fish and Game Commission concerning additions to its list of species that are threatened or endangered.

~~(f)~~ *(h)* To provide authority to the state to work cooperatively with the United States Forest Service, including the ability to provide and receive funding for wildlife studies.

(i) To provide an additional source of funding for the required studies.

4801. The Timberland Task Force is hereby created. The Secretary of the Resources Agency or the ~~secretary's~~ *Secretary's* designee shall serve as chairperson of the task force. The Director of Forestry and Fire Protection and the Director of Fish and Game shall also be members of the task force. The ~~secretary~~ *Secretary* and two ~~directors~~ *Directors* shall select eight additional members by

March 1, 1990, with technical knowledge of biology or management of timberland ecosystems, with one person from each of the following:

(a) The timber industry.

(b) Environmental organizations.

(c) A California academic institution.

(d) United States Forest Service.

(e) Bureau of Land Management of the United States Department of Interior.

(f) National Park Service.

(g) The Department of Parks and Recreation.

(h) The United States Fish and Wildlife Service.

4802. The Timberland Task Force shall do all of the following:

(a) Develop a coordinated base of scientific information on the location, extent, and species composition of timberland ecosystems in California which does all of the following:

(1) Accommodates a range of definitions for timberland habitats, including ~~old growth~~ *old-growth* timberland

(2) Permits evaluation of the cumulative impact of timber harvesting and other activities on the bio-diversity of timberland ecosystems and on individual species.

(3) Permits evaluation of timberland habitat for its contribution, if any, to the overall maintenance of specific wildlife species in California

(4) Permits estimation of the economic impact of alternative mitigation measures.

(b) Design and contract for studies to do the following:

(1) Validate wildlife habitat models and propose management prescriptions for *game and non-game* wildlife species utilizing timberland habitats.

(2) Evaluate the effectiveness of alternative mitigation measures designed to minimize significant adverse environmental impacts of timber harvesting.

(3) Develop and evaluate alternative management programs designed to maintain or develop the physical characteristics of wildlife habitats.

(4) Identify and evaluate the contribution of forests in the State of California to the production, enhancement, or diminishment of greenhouse gases, such as carbon dioxide, and the relationship of timber growing and harvesting in the State of California to global warming.

(c) Identify critical habitat areas necessary to maintain and restore viable populations of species dependent upon specific timberland habitats for all or part of their life cycle. Studies shall commence on ~~old growth~~ *old-growth* and associated timberland habitats utilized by ~~old growth associated~~ *old-growth associated* wildlife species. Work shall commence in the north coastal region and proceed to the northern, central, and southern Sierra region.

(d) Identify species of special concern as follows:

(1) Identify wildlife species that are or may become endangered, threatened, or of special concern as the result of management activities on private and public timberlands.

(2) Conduct evaluations which include a statement of the relative risk of extinction on a regional and statewide basis. *Such evaluations are to be made only after considering the scientific basis for such determination and emphasis shall be given to information developed by scientists that are recognized as having special knowledge in their fields.*

(e) Identify and evaluate or design alternative management programs for publicly and privately owned forest land in the State of California which will minimize production of, or lead to the diminishment of, greenhouse gases contributing to global warming.

4803. On or before January 1, 1992, the task force shall transmit its findings to the Fish and Game Commission, with recommendations to add or remove species from the candidate list of threatened or endangered species. The task force shall make recommendations to the ~~board~~ *Board of Forestry* for the establishment of a list of "~~Species of Special Concern~~" *"species of special concern"* for which new forest practice rules may be necessary pursuant to Chapter 8 (commencing with Section 4511) of Part 2.

4804. On or before January 1, 1992, the task force shall report to the Legislature on the implementation of this ~~chapter~~ *Chapter*, the results of the ~~study~~ *studies herein required*, the recommendations made to other agencies, and the operation of the data base.

4805. (a) The ~~director~~ *Director of CDF* shall establish a schedule of user fees for persons using the ~~department's~~ *CDF* data base developed pursuant to Section 4802, which does not exceed the reasonable costs for developing, updating, and maintaining the data base.

(b) The ~~department~~ *Department* shall utilize its data base for the review of timber harvesting plans *and timber management plans* as appropriate, and shall permit the use of its data base by timber harvesting plan *and timber management plan* applicants for the preparation of timber harvesting plans *and timber management plans* and by other persons, upon request.

(c) Commencing on January 1, 1992, the ~~department~~ *Department* shall charge a fee to users of the data base pursuant to this section.

Section 7. Sections 4806 and 4807 [and 4808] are added to Chapter 5, Part 2.5 of Division 4 of the Public Resources Code to read as follows:

4806. Nothing in this Chapter shall be interpreted to curtail, halt, or otherwise regulate timber harvesting during the course of the studies required or authorized by this Chapter.

4807. In order to provide a further source of funding for the research and study program required by this Chapter, from the effective date of this initiative until December 31, 1991, a fee will be assessed on submitters of THPs or Timber Harvest Notices submitted pursuant to Article 7.6 of Part 2 Division 4 of the Public Resources Code and the rules of the Board of Forestry. The fee shall be in the amount of $3.00 per acre for each acre included in a valid and approved Timber Harvest Plan or Timber Harvest Notice and will be collected and administered by the Director of CDF to fund the studies required by this Article.

4808. The fees required to be paid pursuant to this Article will be deposited in the Timberland Wildlife Management Fund in the State Treasury which is hereby created.

TITLE SIX

Section 8.

Article 7.6 (commencing with Section 4595) is added to Chapter 8 of Part 2 of Division 4 of the Public Resources Code, to read:

Article 7.6. Long-Term Industrial Timberland Management Plan

4595. The people of the State of California find and declare:

(a) A significant portion of the timberlands of the State is held by private persons; and it is the policy of the State to increase the productivity of these

timberlands under prudent management plans to serve the public's need for timber and other forest products and to achieve the goal of maximum sustained production of high-quality timber products while giving consideration to values relating to recreation, watershed, wildlife, range and forage, fisheries, and aesthetic enjoyment. All regulations and rules implementing this Article shall incorporate these goals and policies.

(b) The risk of environmental harm resulting from the harvest of timberlands is minimized by long-term planning designed to maximize production of forest products while giving consideration to environmental concerns.

(c) It is the policy of the state to encourage prudent and responsible forest resource management of timberlands by requiring long-term industrial timber management plans.

4595.1. Notwithstanding Section 4521, unless the context requires otherwise, the following definitions govern construction of this Article.

(a) "Industrial Timberlands" means timberland, zoned timber production zone (TPZ) pursuant to Government Code Section 51112 or 51113, owned by a private person.

(b) "Industrial Timberland Owner" means an owner of industrial timberland of greater than five thousand (5,000) acres and who is engaged in the production and harvesting of forest products.

(c) "Managed Stand" means an aggregate of trees whose composition, age and spatial arrangement has been developed by planned application of specific management practices to achieve identifiable growth objectives.

(d) "Sustained Yield" means the continuous periodic yield of forest products from managed timber stands under a long-term management plan consistent with the objective of maximizing the production of forest products while giving consideration to environmental values.

(e) "Long-term Industrial Timber Management Plan" (herein "TMP") means a management plan for industrial timberlands with the objective of management of timber and sustained yield of timber products for an ownership meeting the requirements of Section 4595.2

(f) "Timber Stand" means a portion of an industrial timberland owner's entire ownership that has been, or can be, subjected to harvesting under a single timber harvest notice.

(g) "Timber Harvest Notice" means notice of timber harvest operations pursuant to an approved long-term industrial timber management plan that meets the requirements of Section 4595.5.

4595.2. (a) After January 1, 1994, no industrial timberland owner may harvest his/her own industrial timberland unless done pursuant to an approved TMP or a previously approved Timber Harvest Plan (THP), or under an emergency notice pursuant to Section 4592. In the event that a TMP is approved which includes lands included in a Timber Harvest Plan which has been previously approved but work on the THP has not been completed, work on the THP shall be completed as provided in this Chapter for completion of Timber Harvesting Plans. After completion of such work, the provisions of the TMP shall thereafter prevail. A separate TMP may be filed for any portion of the property owned by an industrial timberland owner. The TMP shall be prepared by a Registered Professional Forester (RPF). It shall be a public record and shall include all of the following information:

(1) Name and address of the industrial timberland owner and the timber owner if different from the industrial timberland owner.

(2) A description of the lands to be included in the TMP including:

(i) A current planimetric map showing plan boundaries and location of all proposed and existing logging truck roads.

(ii) Largest scale USGS quadrangle map available showing plan boundaries, watercourses, and contour intervals.

(iii) A description of the terrain, wildlife, plant life and other features of the area, and of nearby areas that might reasonably be expected to be impacted by activities in the TMP area.

(iv) A description of past timber harvesting activities in the plan area

(v) The results of any archeological surveys conducted in the plan area.

(3) A statement of the forest management, wildlife management and sustained yield objectives to be achieved in the plan area.

(4) A description of planned harvesting activities, and the timber stands where such harvesting is expected to occur. This description should explain how the requirements of the Rules of the Board of Forestry (Board) applicable to timber harvesting activities at the time the TMP is filed are met and shall include all the following:

(i) A description of the silvicultural methods to be applied to such lands, the methods of regeneration to be used, and the types of logging systems to be used.

(ii) A description of the measures to be employed for fire prevention and control, erosion control, protection of water quality, and recognition of other resources identified in Section 4512 and 4513 of this Chapter.

(iii) A description of the methods to be employed for construction and reconstruction of roads necessary for the conduct of timber harvest operations anticipated within the TMP area.

(iv) Special provisions, if any, to protect any unique area, including any archeological sites, within the TMP area.

(5) A description and analysis of the direct and cumulative impacts, as defined by the rules of the Board, or 14 CCR §15355 if the Board has adopted no definition, reasonably expected to result from implementation of the TMP, including a discussion of alternatives and mitigation measures included in the plan to reduce or avoid such impacts and an explanation of why no additional mitigation measures or alternatives are necessary or feasible.

(6) A Wildlife Management Plan prepared by a wildlife biologist who is certified by the Wildlife Society as described in Article 7.7 of this Chapter

(7) A certification by the RPF preparing the TMP that he or she or a designee has personally inspected the plan area.

(8) Any other information the Board requires in its rules to meet the requirements of this Article.

(b) It shall be the responsibility of the RPF who submitted the TMP, or his replacement, to determine the proper application of the rules of the Board in the contents of the plan and to monitor the adequacy of the plan pursuant to the Forest Practice Act and the rules of the Board and to revise the plan to meet changed or newly discovered conditions in order to protect resource values.

(c) Timber operations conducted under a TMP adopted pursuant to this Article, or conducted under a THP consistent with this article, shall not be subject to any requirements that would be imposed by Section 2, Article III or IV, of the Forest and Wildlife Protection Bond Act of 1990 filed January 12, 1990, or any other initiative measure adopted at the general election of November 1990. Section 2, Articles III and IV of the Forest and Wildlife Protection Bond Act of 1990 filed January 12, 1990 shall have no force or effect regarding the production or

harvesting of privately owned timber on any timber land zoned TPZ pursuant to Government Code Section 51100 et seq. or timber owned by the state of California.

4595.3. (a) The Board shall adopt rules regarding the notice of receipt of the proposed TMP. The notice shall be given within two working days following receipt of the proposed TMP and shall be consistent with Horn v. County of Ventura, 24 Cal.3d 605, and all applicable laws. In adopting the rules, the Board shall take account of the extent of the administrative burden involved in giving the notice. The method of notice shall include, but not be limited to, mailed notice. The rules may require the person submitting the plan to provide the Department a list of the names and addresses of persons to whom the notice is to be mailed.

(b) The Department shall provide notice of the filing of a TMP, to any person requesting that notification in writing.

(c) Upon receipt of the TMP, the Department shall place it, or a true copy thereof, in a file available for public inspection in the county in which timber operations are proposed under the plan, and, for the purpose of interdisciplinary review, shall transmit a copy to the Department of Fish and Game, the appropriate California regional water quality control board, the county planning agency, and all other agencies having jurisdiction by law over natural resources affected by the plan. The Department shall invite, consider, and respond in writing to significant comments received from members of the public and from public agencies to which the plan has been transmitted and shall consult with those agencies at their request.

(d) Upon receipt of the TMP, the Department shall have ten (10) days to determine if the plan is in proper order for filing, and sixty (60) days from the date of filing or from the date of earliest seasonal access to the plan area, whichever is later, or longer if agreed to by the plan submitter, to review the plan to determine whether or not it is in conformance with this Article and the rules of the Board in effect at the time the plan is filed. When the plan application has been found not to be in proper order for filing, the Department shall so inform the plan submitter in writing with a written explanation of the reason(s) for its decision and of the plan submitter's right to a hearing before the Board.

(e) In conducting its review of the TMP, the Department shall take at least the following steps:

(1) The Department shall conduct a noticed public hearing to receive comments on the proposed TMP within 45 days after filing the plan.

(2) At least one inspection of the TMP area shall be conducted by the Department and representatives of any other state, local or federal agencies that have jurisdiction by law over natural resources that may be affected by the plan who choose to accompany the Department on the inspection Other inspections may be made, as deemed necessary by the Department, at any time during the review period

(f) Proceedings pursuant to this article shall be deemed to be in compliance with Public Resources Code §21080.5(d) and are hereby certified as exempt from the provisions of Chapter three (commencing with Section 21100) and Chapter four (commencing with Section 21150) and Section 21167 of the Public Resources Code. The rules adopted by the Board of Forestry to implement this Article shall be consistent with the requirements of §21080.5(d).

(g) If the Department determines that the proposed TMP conforms with this Article and the rules of the Board in existence at the time the plan was filed, it shall approve the plan. If the Department determines that the plan is not in

conformance with the Rules of the Board and this Article, it shall return the plan to the submittee and state, in writing, reasons for such denial and advise the person submitting the plan of information or changes needed to bring the plan into conformance. If the Department does not act within the time prescribed by this section, or such longer period as may be mutually agreed upon by the Department and the person submitting the plan, the plan shall be deemed approved.

(h) The plan submitter may appeal denial of the TMP to the Board of Forestry within thirty (30) days of receiving notice of such denial and the Board will proceed to consider the appeal in the same manner as it considers appeal from denial of a timber harvest plan under Section 4582.7.

(i) The Director of the Department of Fish and Game or the Chairman of the State Water Resources Control Board may, subject to the same limitations and conditions specified in Section 4582.9(b), but not later than 10 days after approval of a TMP by the Department, appeal the approval or denial to the Board. At the time of filing an appeal with the Board, the person filing the appeal shall notify the Director and the plan submitter of the appeal, and no timber operations shall occur under the TMP until the final determination of the appeal by the Board The Board will proceed to consider the appeal in the same manner as it considers appeals by these agencies pursuant to Section 4582.9 (c) and (d) If the Board approves the plan, the Director of Fish and Game or the State Water Resources Control Board may seek judicial review of the decision pursuant to Section 4595 95.

(j) The TMP submitter or the industrial timberland owner may seek judicial review of the Board's denial of a TMP. The inquiry upon review shall extend only to whether there was an abuse of discretion by the Board in denying the plan Abuse of discretion is established if the Board did not proceed in a manner required by law or if its decision is not supported by substantial evidence.

(k) All determinations to be made by the Department under this article shall be made by the Director or his designee.

4595.4. (a) The industrial timberland owner may submit a proposed amendment to the approved TMP and may not take any action which substantially deviates, as defined by the Board, from the approved plan until the amendment has been filed with the Department and the Department has determined that the amendment is in compliance with the rules of the Board and the provisions of this Article which were in effect at the time the amendment was filed, in accordance with the same procedures specified in Section 4595.3.

(b) The industrial timberland owner may take actions which do not substantially deviate from the approved plan and which do not cause any significant environmental impacts without the submittal of an amendment, but those actions shall be subsequently reported to the Department. The Board shall specify, by rule, those nonsubstantial deviations which may be taken. The Board shall specify the requirements for reporting those deviations

(c) In the event of a change of ownership of the land covered by the TMP, the plan shall expire 180 days from the date of change of ownership unless the new industrial timberland owner notifies the Department in writing of the change of ownership and his or her assumption of the plan.

(d) The industrial timberland owner may cancel the TMP by submitting a written notice to the Department; however, no commercial timber operations may be conducted on the land without a valid and approved TMP after January 1, 1994, or a THP approved prior to January 1, 1994, or an emergency notice pursuant

to Section 4392, Title 14, CCR. Provided, however, if a TMP submitted by an industrial timberland owner has been approved, but has not been implemented due to litigation, then the industrial timberland owner may continue to harvest the timberland subject to such TMP pursuant to the Timber Harvest Plan process provided for in the Z'berg-Nejedly Forest Practice Act until the litigation is resolved and harvesting can be conducted under the TMP. Once timber operations have commenced pursuant to a Timber Harvest Notice, cancellation is not effective on land covered by the Notice until a report of satisfactory completion has been issued in the same manner as provided for in Sections 4585, 4586, and 4587.

4595.5. An industrial timberland owner who owns, leases, or otherwise controls or operates on all or any portion of any timberland within the boundaries of an approved TMP and who plans to harvest any of the timber thereon during a given year, shall file a Timber Harvest Notice with the Department in writing. A Notice shall be filed prior to the harvesting of any timber and shall be effective for a maximum of one year from the date of filing. If the person who files the Notice is not the owner of the timberland, the person filing the Notice shall notify the timberland owner by certified mail that the Notice has been submitted, and shall certify that mailing to the Department. The Notice shall be prepared by an RPF and shall be a public record. The Notice shall perform the functions of demonstrating that timber harvesting will be consistent with the TMP and of informing the Licensed Timber Operator how to conduct the harvesting operations. The Notice shall include all of the following information:

(a) The name and address of the timber landowner.

(b) The name and address of the timber owner if different from the timber landowner.

(c) The name and address of the timber operator.

(d) The name and address of the RPF preparing the Timber Harvest Notice.

(e) A description of the land within the TMP on which the harvest is proposed to be done.

(f) A statement that no archeological sites have been discovered in the harvest area since the approval of the TMP.

(g) A statement that no rare, threatened, or endangered plant or animal species has been discovered in the harvest area since the approval of the TMP.

(h) A statement that there have been no physical environmental changes in the harvest area that are so significant as to require any amendment of the TMP.

(i) Special provisions, if any, to protect any unique area within the area of timber operations.

(j) The expected dates of commencement and completion of timber operations during the year.

(k) A statement that the Notice conforms to the provisions of the approved TMP, including the wildlife management plan.

(l) Any other information the Board requires by rule to meet the requirements of its Rules and this Article.

4595.6 The Board, under exceptional circumstances of public need, and to protect against immediate, significant and long-term harm to the natural resources of the state, may require the application of specified rules to harvesting conducted pursuant to a Timber Harvest Notice, even though such rules are adopted subsequent to the filing of the Timber Harvest Notice. In such cases, the Board must adopt written findings of public need, and of the anticipated immediate, significant and long-term harm, that are supported by substantial

evidence presented to the Board at a public hearing held to consider the proposed rules. Thereafter, all operations pursuant to the notice to which such specified rules may apply shall conform to such rules unless, prior to the adoption of the rules, substantial expenses or liabilities have been incurred in good faith reliance upon the rules previously in effect, and the adherence to such specified rules would not be feasible.

4595.65. The RPF who submitted a Timber Harvest Notice, or any other RPF employed by the timber owner or industrial timberland owner, shall submit to the Department such reports as the Board may require by rule establishing that harvesting has been conducted and restocking has been completed as required by the TMP.

4595.7. (a) The RPF who prepares the TMP or prepares the Timber Harvest Notice, or any other RPF who is employed by the timber owner or operator, shall report to the industrial timberland owner if there are deviations from the plan which, in the RPF's judgement, threaten the objectives of the TMP.

(b) If the Board finds that a RPF has made any material misstatements in any Timber Harvest Notice, TMP or report under this article, the Board shall take disciplinary action against the RPF as provided under Section 775. No penalties or enforcement provisions adopted by an initiative during the November 1990 election, other than those provided for herein or in law existing as of January 1, 1990, shall be applicable to RPFs, timberland owners, operators or others to enforce the requirements of Chapter 8, Part 2, Division 4 of the Public Resources Code or the requirements of an initiative adopted during November 1990 elections Specifically, without limitations, the penalties and enforcement provisions contained in Section 2, Article 8 of the Forest and Wildlife Protection and Bond Act of 1990, filed January 12, 1990, shall be of no force and effect.

4595.8 Notwithstanding any other provision of this Chapter, if a RPF certifies by written declaration to the Department, on behalf of the timber owner or operator, that the Timber Harvest Notice conforms to, and meets the requirements of, the approved TMP under which it is filed, timber operations may commence immediately unless the Notice has been filed by mailing, in which case operations may commence three days after the notice has been mailed.

4595.9 If the Department determines that timber operations being conducted in an area subject to an approved TMP are not in compliance therewith, operations may be suspended by issuance of a Stop Order per Public Resources Code Sections 4602.5 and 4602.6 by the Department, and any further timber operations under the plan shall be suspended until any deficiencies are corrected or resolved.

4595.95 (a) Notwithstanding any other provision of law, judicial review of either approval of a TMP by the Department or the Board pursuant to this Article or of the adequacy of a Timber Harvest Notice submitted pursuant to Section 4595.5 shall be governed by the provisions of this section.

(b) Any action to attack, review, set aside, void or annul approval of a TMP or to review the adequacy of a Timber Harvest Notice shall be commenced within thirty (30) days after the date the TMP is approved or the Notice is submitted, as the case may be.

(c) No action may be brought to review approval of a TMP unless the alleged ground or grounds for the relief requested were presented to the Department in writing within fifty (50) days from the date the plan was filed.

(d) No person shall maintain an action to review approval of a TMP unless that person objected in writing to approval of the plan within fifty (50) days from the date the plan was filed.

(e) In any action to review approval of a TMP, the inquiry shall extend only to whether there was a prejudicial abuse of discretion. Abuse of discretion is established if the agency approving the plan has not proceeded in a manner required by law or if the decision to approve the plan is not supported by substantial evidence.

(f) An action to review the adequacy of a Timber Harvest Notice shall be limited to the question of whether the notice complies with the requirements of Section 4595.5

(g) If a court finds that approval of a TMP was not supported by substantial evidence or that the agency approving the plan did not proceed in a manner required by law, or that a Timber Harvest Notice had not met the requirements of Section 4595.5, the court shall enter an order for issuance of a peremptory writ of mandate specifying what action is necessary to bring approval of the plan or the Timber Harvest Notice into compliance with law The court shall retain jurisdiction over the agency's proceedings by way of a return to the peremptory writ until the court has determined that the requirements of the peremptory writ have been met. Nothing in this section authorizes a court to direct any public agency to exercise its discretion in any particular way. The court's writ of mandate shall include one or more of the following·

(1) A mandate that the approving agency and any real parties in interest suspend all activity, pursuant to approval of the TMP or the Timber Harvest Notice, that could result in substantial change or alteration to the physical environment until such actions are taken as may be necessary to bring approval of the TMP or the Notice into compliance with requirements of this Article.

(2) A mandate that the approving agency take specific action as may be necessary to bring the TMP into compliance with the requirements of this Article.

(3) A mandate that any real party in interest take specific action as may be necessary to bring the Timber Harvest Notice into compliance with Section 4595.5.

(4) The Department shall initiate any investigation that may be appropriate under Section 4595 7(b)

TITLE SEVEN

Section 9.

Article 7.7 (commencing with §4596) is added to Chapter 8 of Part 2 of Division 4 of the Public Resources Code, to read

Article 7.7. Wildlife Management Plan

4596. The people of the State of California find and declare.

(a) Management of forests in California can affect biological diversity and wildlife habitat in those areas where timber operations are undertaken While private property rights must be respected and protected, conservation of biological diversity is a state goal. To accomplish this goal, TMPs must recognize the importance of maintaining native wildlife in California's forest lands for their inherent values to society and provide for diversity of habitat types, seral stages and special habitat components on industrial timber lands.

(b) Existing law requires the California Fish and Game Commission to establish a list of Endangered Species and a list of Threatened Species. In addition, the rules of the Board of Forestry provide for specific planning and conduct of timber operations so as to maintain viable habitat for Species of

Special Concern. Every TMP shall contain measures designed to assure protection of habitat for Threatened and Endangered Species and Species of Special Concern, as well as consideration of the habitat requirements of other game and non-game species of fish and wildlife.

4596.1. Every TMP as described in Section 4595.2 shall contain a Wildlife Management Plan prepared by a wildlife biologist, who is certified by the Wildlife Society, and prepared under the direction of the RPF responsible for the preparation of the TMP. Each Wildlife Management Plan shall provide for watercourse and lake protection zones as defined in Title 14 CCR 895.1 to serve as wildlife protection corridors.

4596.2. (a) The Board, after consulting with the Department of Fish and Game, shall adopt rules consistent with this Article, specifying the contents of a Wildlife Management Plan by not later than January 1, 1991. Until such rules are adopted the content of Wildlife Management Plans shall be governed by subparagraph (c) of this section.

(b) It shall be the goal of the Wildlife Management Plan to balance the needs for game and non-game species of wildlife and their habitat consistent with the objectives specified in Sections 4512 and 4513 and to provide all legally required protection for all species listed as Threatened or Endangered under the state and federal Endangered Species Acts, and to provide protection for Species of Special Concern as established by the rules of the Board.

(c) A wildlife management plan shall contain at least the following elements:

(1) During timber operations, timber operators shall not place, discharge, or dispose of in such a manner as to permit or pass into water courses, lakes, marshes, meadows, and other wet areas described in the California Code of Regulations Title 14, §916 et seq. substances or materials, including, but not limited to, soil, silt, bark, slash, sawdust, or petroleum, in quantities deleterious to the beneficial uses of water.

(2) Vegetation, other than commercial species, bordering and covering meadows and wet areas shall be retained and protected during timber operations unless their removal is explained and justified in the long-term industrial timber management plan and approved by the Department.

(3) Soil within meadows and wet areas shall be protected to the maximum extent feasible.

(4) Trees cut within wildlife protection corridors, described as water course and lake protection zones in Title 14 CCR §916 et seq., shall be felled away from the water course by pulling or other mechanical methods if necessary, in order to protect the residual vegetation in the water course and lake protection zone. Exceptions may be proposed and used when approved by the director.

(5) Nesting trees, and other critical habitat, of species listed as Threatened or Endangered and Species of Special Concern, and an adequate buffer area for such trees and habitat, shall be protected during harvesting while fledging occurs.

(6) Standing and down dead timber that provides nesting or host cover for other species shall be left during harvest if leaving such material will not cause unreasonable risk of fire or accident or unreasonably curtail the timber producing capability of the area involved.

Section 10.

Article 7.8 (commencing with Section 4596.3) is added to Chapter 8 of Part 2 of Division 4 of the Public Resources Code, to read:

Article 7.8. Public Access

4596.3 To encourage private industrial and commercial timberland owners to provide public access in selected areas of managed forests and forest products facilities, and to make available to the public opportunities for recreation and education on such managed forestland and production sites, the people enact as follows:

An owner of any commercial or industrial managed forestland who receives consideration for doing so shall have no greater duty of care to any member of the public to whom it gives access to any demonstration forest, picnic area, campground, rest stop, wayside, production site, hunting or fishing area or other area for recreational or educational purposes than Section 846 of the California Civil Code requires when access is granted without consideration. All opportunities for access to private property described herein shall be at the discretion of the timberland or forest owner, and shall be subject to whatever terms, conditions, restrictions or prohibitions said landowner may establish.

Section 11.

Except as provided in this Act, Chapter 8 of Part 2 of Division 4 of the Public Resources Code shall not be modified by any initiatives on the November 1990 ballot and those provisions remain in full force and effect.

TITLE EIGHT
RESTRICTIONS ON EXPORTS OF CALIFORNIA LOGS

Section 12.

The people of the State of California find and declare:

It is essential to the long-term maintenance of a viable forest products industry in the State of California that commercial timberland owners and operators, as well as manufacturers of forest products, continue to participate in the national and global market place. However, in striving for the goal of a continuous and long-term sustained yield of timber from California forests to provide raw material for current market demands while insuring continued supply for the future, the people recognize that raw logs, prior to any processing or manufacturing, should not be harvested solely for export. Restricting this practice could contribute to the important economic and social objectives of providing employment and other benefits to Californians and all Americans over the long-term. Therefore, the people do hereby request Congress, which has authority over interstate and international commerce, to prohibit export of raw logs from California timber lands.

TITLE NINE

Section 13.

Division 5, Chapter 1, Article 1, Section 5006.17 of the Public Resources Code is added as follows:

5006.17 (a) In order to reach a balance between encouraging the production and harvesting of timber on privately owned timberlands and protecting virgin old growth redwood timber in California, and notwithstanding any other provision of law, the Director of General Services may acquire, on behalf of the State, a fee interest in the following four areas of privately owned timberlands that are zoned for the production and harvesting of timber in Humboldt County in Northern California, which are contiguous to existing state parks that contain virgin old growth redwood, containing 1618 acres, more or less.

(1) Keller Ranch: For addition to Pamplin Grove, a part of the Van Duzen Grizzley Creek State Park System, a total of approximately 343 acres, consisting of a portion of the Southwest quarter, West of the Van Duzen River in Section 8, Township 1 North, Range 2 East, Humboldt Base and Meridian; a portion of the Northeast quarter, West of the Van Duzen River in Section 8, Township 1 North, Range 2 East, Humboldt Base and Meridian; a portion of the Southeast quarter of the Northwest quarter, West of the Van Duzen River in Section 8, Township 1 North, Range 2 East, Humboldt Base and Meridian; The East half of the Southwest quarter of Section 8, Township 1 North, Range 2 East, Humboldt Base and Meridian, a portion of the Southwest quarter of Section 9, Township 1 North, Range 2 East, Humboldt Base and Meridian.

(2) Grizzley Creek: For addition to the Grizzley Creek Park on Van Duzen River, a total of approximately 135 acres, consisting of the Southeast quarter of the Southeast quarter and a portion of the Northeast quarter of the Southeast quarter of Section 11, Township 1 North, Range 2 East, Humboldt Base and Meridian; the Northeast quarter of the Southwest quarter and a portion of the West half of the Southwest quarter of Section 12, Township 1 North, Range 2 East, Humboldt Base and Meridian.

(3) Redcrest: South and West of the town of Redcrest: For addition to the Humboldt Redwoods State Park and the Avenue of the Giants, a total of approximately 1,031 acres, consisting of the Southwest quarter and a portion of the Northwest quarter South of Highway 101 and a portion of the Southeast quarter Southwest of Highway 101 in Section 10, Township 1 South, Range 2 East, Humboldt Base and Meridian; the North half of Section 15 West of Highway 101 and a portion of the Southwest quarter of Section 15 in Township 1 South, Range 2 East, Humboldt Base and Meridian; the Northeast quarter and a portion of the Southeast quarter of Section 16, Township 1 South, Range 2 East, Humboldt Base and Meridian.

(4) South Fork: For addition to Humboldt Redwoods State Park, for addition to Founders Grove at the confluence of the Main Eel and the South Fork of the Eel River, a total consisting of approximately 106 acres, consisting of a portion of the Northeast quarter of the Northwest quarter and the North half of the Northeast quarter West of the Eel River in Section 35, Township 1 South, Range 2 East, Humboldt Base and Meridian, a portion of the Northeast quarter of the Northeast quarter East of the Eel River in Section 35, Township 1 South, Range 2 East, Humboldt Base and Meridian.

(b) Any interest in property acquired pursuant to this section shall be subject to the provisions of the property acquisition law (Part 11) commencing with Section 15850 (of Division 3 of Title 2 of the Government Code). These acquisitions must protect rights of way necessary for the landowners to economically operate their remaining property zoned for timber production and harvesting. Other privately owned timberlands in the redwood region of Northern California that are zoned for the production and harvesting of timber may not be acquired by the state for a period of 10 years without the agreement of the timberland owner.

(c) Upon acquisition of the property, the Director of General Services shall transfer jurisdiction over the property to the Department of Parks and Recreation, which shall administer the property as a unit of or as an expansion to existing units of the State Parks System, and the property acquired shall be under the exclusive control of the officers administering the State Park System The State Department Parks and Recreation shall carry out a program in the lands so

acquired of planning, development, construction, maintenance, administration, and conservation of trails in areas for the recreational use by members of the public of the lands so acquired.

TITLE TEN

Section 14. Technical Matters.

(a) If any provision of this Act, or the application of that provision to any person or circumstances, is held invalid, the remainder of this Act, to the maximum extent it can be given effect, or the application of that provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end, the provisions of this Act are severable.

(b) This Act shall be liberally construed and applied in order to fully promote its underlying purposes, so that if more than one construction of a particular provision is possible, the one which more fully accomplishes the purposes of this Act shall be applicable.

(c) No provision of this Act shall be amended by the Legislature except to further its purposes by statute passed by each house by roll-call vote entered in the journal with two-thirds of each membership concurring, if at least 14 days prior to passage in each house the bill is in its final form, or unless by a statute that becomes effective only when approved by the electorate.

(d) All references to statutes or regulations in this act are to the text thereof in effect January 1, 1990, unless changes to those statutes or regulations further the purpose of this Act. In that event, this Act shall be interpreted to refer to the amended statute or regulation.

(e) Nothing in this Act shall diminish any legal obligation otherwise imposed by common law, statute or regulation, nor enlarge any defense in any action to enforce that legal obligation. Any penalties or sanctions imposed under this Act shall be in addition to any penalties or sanctions otherwise prescribed by law.

(f) For purposes of this Act, "person" shall have the same meaning as in Section 26024 of the Health and Safety Code, and shall also include the United States, and its agencies and officials to the extent constitutionally permissible.

(g) Unless otherwise specifically provided in this Act, any action or proceeding to attack, review, set aside, void or annul a determination, finding, or decision, including a failure to act, of any public agency, on the grounds of non-compliance with the provisions of this Act must be brought within 30 days of any such act or decision of any public agency.

(h) (1) No action may be brought pursuant to subsection (g) unless the alleged grounds for non-compliance with this Act were presented to the public agency orally or in writing by the person bringing the action.

(2) No person shall maintain an action or proceeding unless that person objected to the action of the public agency orally or in writing.

(3) This subsection does not apply to the Attorney General.

(4) This subsection does not apply when there was no public hearing or other opportunity for members of the public to raise objections prior to the action of the agency being challenged or when the public agency failed to give the notice required by law.

(i) In any action or proceeding to attack, review, set aside, void or annul a determination, finding or decision of a public agency on grounds of non-compliance with the provisions of this Act, the inquiry shall extend only to whether there was a prejudicial abuse of discretion. Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.

(j) This initiative is inconsistent with, and intended as an alternative to specific provisions of the Environmental Protection Act of 1990, all of the terms of the Forest and Wildlife Protection and Bond Act of 1990, and all of the terms of any other initiative voted upon at the same election as this initiative which regulate registered professional foresters, timberland owners, timber owners, timber operators, or timber harvesting or which authorize or direct the condemnation of timberlands zoned for timber production and harvest or which modify the Z'berg-Nejedly Forest Practice Act or otherwise modify the authority or responsibility, or the method of appointment or composition, of the Board of Forestry or the Department of Forestry and Fire Protection. If this initiative and any such other inconsistent, alternative, or conflicting initiatives are passed by majorities voting thereon then the one with the most votes shall prevail.

1. The following specific provisions referred to in subparagraph (j) of the Environmental Protection Act of 1990 are inconsistent and in conflict with this initiative and shall have no force and effect:

(i) Section 17, Chapter 5, Articles 1 and 2, being amendments to the Public Resources Code Sections 4801, 4802, 4803;

(ii) Section 17, Chapter 6, being amendments to the Public Resources Code Sections 4804–4817;

(iii) Section 17, Chapter 7, being amendments to the Public Resources Code Sections 4818 and 4819;

2. The following provisions of the Forest and Wildlife Protection and Bond Act of 1990 filed October 18, 1989, and revised November 6, 1989, are invalid and shall have no force and effect:

(i) Sections 1 through 8.

3. The following provisions of the Forest and Wildlife Protection and Bond Act of 1990 filed January 12, 1990 are invalid and shall have no force and effect:

(i) Section 1 through 23.

(k) It is the intent of the people that the provisions of this initiative measure constitute an integrated and comprehensive set of statutory provisions and amendments designed to strike a balance between the goal of environmental protection, including diminishment of global warming, wildlife protection, and the protection of old growth redwood, and the goal of providing forestry products for California's population and economy. The people find that these provisions present a balanced reform package and it is their intent that additional, simultaneous provisions related to the same subject not be placed on government agencies, registered professional foresters, timberland owners, timber owners, timber operators or the public. Accordingly, it is the intent of the people to implement this initiative measure to the exclusion of the Environmental Protection Act of 1990, the Forest and Wildlife Protection and Bond Act of 1990 filed October 18, 1989, and revised November 6, 1989, the Forest and Wildlife Protection and Bond Act of 1990 filed January 12, 1990, or any other conflicting initiative measure which may be adopted at the same time on the same subject. To that end, if this initiative measure receives a higher number of votes than the Environmental Protection Act of 1990, the Forest and Wildlife Protection and Bond Act of 1990, or another conflicting measure passed at the same election, such other initiative measures, to the extent they affect in any manner, planning, management, or implementation of timber protection or harvesting, the composition or authority of the Board of Forestry or the authority of the Department of Forestry and Fire Protection or the acquisition by the state of forestland or modifies the Z'berg-Nejedly Forest Practice Act, shall be deemed to be inconsis-

tent and in conflict with this initiative measure within the meaning of Section 10, Subdivision (b) of Article II of the California Constitution.

BOND ACTS SUBMITTED BY THE LEGISLATURE

Number on ballot

143. **Higher Education Facilities Bond Act of November 1990.** (Statutes 1990, Chapter 575, AB 2479)

[Rejected by electors November 6, 1990]

PROPOSED LAW

SECTION 1. Chapter 14.6 (commencing with Section 67358) is added to Part 40 of the Education Code, to read:

CHAPTER 14.6. HIGHER EDUCATION FACILITIES BOND ACT OF NOVEMBER 1990

Article 1. General Provisions

67358. This chapter shall be known and may be cited as the Higher Education Facilities Bond Act of November 1990.

67358.1. The Legislature finds and declares all of the following:

(a) California's economic and social prosperity relies on a higher education system that keeps pace with California's growth. In the coming decades, the state's economic prosperity will depend on increasing the productivity of the work force and on the ability to compete successfully in the world marketplace.

(b) The system of public higher education in this state includes the University of California containing nine campuses, the California State University containing 20 campuses, the California Community Colleges consisting of 71 districts containing 107 campuses, the Hastings College of the Law, the California Maritime Academy, and their respective off-campus centers. Each of these institutions plays a vital role in maintaining California's dominance in higher education in the United States.

(c) Over the last several years, studies have been completed by the University of California, the California State University, and the California Community Colleges to assess their long-term and short-term capital needs. Those studies demonstrate that the long-term and short-term needs total, in the aggregate, several billion dollars.

(d) The purpose of the Higher Education Facilities Bond Act of November 1990 is to assist in meeting the capital outlay financing needs of California's public higher education system.

67358.2. As used in this chapter, the following terms have the following meanings:

(a) "Committee" means the Higher Education Facilities Finance Committee created pursuant to Section 67353.

(b) "Fund" means the 1990 Higher Education Capital Outlay Bond Fund created pursuant to Section 67358.3

Article 2. Higher Education Facilities Bond Act Program

67358.3. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the 1990 Higher Education Capital Outlay Bond Fund, which is hereby created.

67358.4. (a) The committee shall be and is hereby authorized to create a debt or debts, liability or liabilities, of the State of California pursuant to this chapter for the purpose of funding aid to the University of California, the California State University, the California Community Colleges, the Hastings College of the Law, and the California Maritime Academy for the construction, including the construction of buildings and the acquisition of related fixtures, the construction or improvement of off-campus facilities of the California State University approved by the Trustees of the California State University on or before July 1, 1990, renovation, and reconstruction of facilities, for the acquisition of sites upon which these facilities are to be constructed, and for the equipping of new, renovated, or reconstructed facilities, and to provide funds for payment of preconstruction costs, including, but not limited to, preliminary plans and working drawings. The addition of the Hastings College of the Law to this section is not intended to mark a change from the funding authorizations made by Section 67354, as contained in the Higher Education Facilities Bond Act of 1986, or Section 67334, as contained in the Higher Education Facilities Bond Act of 1988, but is intended to more clearly state what was intended by the Legislature in those sections as well.

(b) Moneys made available under Section 67359 or 67359.2 may be used to provide short-term loans to community colleges for the purchase of instructional equipment. Those loans shall be repaid from the first moneys available in the Capital Outlay Fund for Public Higher Education beginning in the 1990–91 fiscal year, or from proceeds of the bonds.

Article 3. Fiscal Provisions

67358.5. (a) Bonds in the total amount of four hundred fifty million dollars ($450,000,000), not including the amount of any refunding bonds issued in accordance with Section 67359.3, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) Pursuant to this section, the Treasurer shall sell the bonds authorized by the committee at any different times necessary to service expenditures required by the apportionments.

67358.6 The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law shall apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter For purposes of the State General Obligation Bond Law, each state agency administering an appropriation of the bond fund is designated as the "board" for projects funded by those appropriations.

67358.7. The committee shall authorize the issuance of bonds under this chapter only to the extent necessary to fund the apportionments that are expressly authorized by the Legislature in the annual Budget Act. Pursuant to that legislative direction, the committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry

out the actions specified in Section 67358.4 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

67358.8. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum

67358.9. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 67359, appropriated without regard to fiscal years.

67359. For the purposes of carrying out this chapter, the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, together with interest at the rate paid on moneys in the Pooled Money Investment Account, from money received from the sale of bonds for the purpose of carrying out this chapter.

No funds shall be expended pursuant to this chapter for the acquisition and development of new campuses which would increase the number of campuses designated in Section 67358.1

67359.1. All money deposited in the fund that is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

67359.2. The board may request the Pooled Money Investment Board for a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, and may execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. The loan shall be deposited in the fund for the purpose of carrying out the provisions of this chapter The amount of the loan shall not exceed the amount of the unsold bonds that the committee, by resolution, has authorized to be sold for the purposes of this chapter.

67359.3. Any bonds issued and sold pursuant to this chapter may be refunded by the issuance and sale or exchange of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code The approval by the electors of this state of the issuance and sale of bonds under this chapter includes approval of the issuance and sale or exchange of any bonds issued to refund either those bonds or any previously issued refunding bonds.

67359.4. Notwithstanding any provision of this chapter or the State General Obligation Bond Law set forth in Chapter 4 (commencing with Section 16720) of

Part 3 of Division 4 of Title 2 of the Government Code, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions, the Treasurer may maintain separate accounts for the investment of bond proceeds and the investment earnings on these proceeds, and the Treasurer shall be authorized to use or direct the use of these proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds require or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

Number on ballot

144. **New Prison Construction Bond Act of 1990-B.** (Statutes 1990, Chapter 576, AB 524)

[Rejected by electors November 6, 1990]

PROPOSED LAW

SECTION 1. Chapter 17 (commencing with Section 7440) is added to Title 7 of Part 3 of the Penal Code, to read:

CHAPTER 17. NEW PRISON CONSTRUCTION BOND ACT OF 1990-B

7440. This chapter shall be known and may be cited as the New Prison Construction Bond Act of 1990-B.

7441. The State General Obligation Bond Law is adopted for the purpose of the issuance, sale and repayment of, and otherwise providing with respect to, the bonds authorized to be issued by this chapter, and the provisions of that law are included in this chapter as though set out in full in this chapter except that, notwithstanding anything in the State General Obligation Bond Law, the maximum maturity of the bonds shall not exceed 20 years from the date of each respective series. The maturity of each respective series shall be calculated from the date of that series.

7442 (a) There is in the State Treasury the 1990-B Prison Construction Fund which is hereby created. The proceeds of the sale of bonds authorized by this chapter shall be deposited in the 1990-B Prison Construction Fund. Upon request of the Department of Corrections and upon approval of the Director of Finance, appropriations or augmentations to appropriations made from the 1984 Prison Construction Fund established by Section 7202, the 1986 Prison Construction Fund established by Section 7302, or the 1988 Prison Construction Fund established by Section 7402, or the 1990 Prison Construction Fund established by Section 7422, or any combination thereof may be funded from the 1990-B Prison Construction Fund created by this section If appropriations are so carried forward, "fund" means the 1984 Prison Construction Fund, the 1986 Prison Construction Fund, the 1988 Prison Construction Fund, the 1990 Prison Construction Fund established by Section 7422, or the 1990-B Prison Construction Fund established by Section 7442, or any combination thereof, as is appropriate. At least 30 days prior to requesting that an appropriation be carried forward as authorized by this section, the Department of Corrections shall notify the chairpersons of the fiscal committees in each house of the Legislature, and the chairperson and the vice chairperson of the Joint Legislative Budget Committee.

(b) Notwithstanding any provision of this chapter or the State General Obligation Bond Law as set forth in Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes, subject to designated conditions, the Treasurer shall be authorized to maintain separate accounts for the investment of bond proceeds and the investment earnings on such proceeds, and the Treasurer shall be authorized to use or direct the use of those proceeds or earnings to pay any rebate, penalty or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

7443. The 1990-B Prison Construction Committee is hereby created. The committee shall consist of the Controller, the Treasurer, and the Director of Finance, or their designated representatives. A majority can act for the committee. The Treasurer shall chair the committee. That committee shall be the "committee," as that term is used in the State General Obligation Bond Law.

When funds are appropriated to the Department of Corrections, the department is the "board" for the purpose of the State General Obligation Bond Law and this chapter. When funds are appropriated to the Department of the Youth Authority, the Department of the Youth Authority is the "board" for the purpose of the State General Obligation Bond Law and this chapter.

7444 The committee is hereby authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the aggregate principal amount of four hundred fifty million dollars ($450,000,000), exclusive of refunding bonds, or so much thereof as is necessary, which may be issued and sold to provide a fund to be used for carrying out the purposes expressed in Section 7446 and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code.

7445. The committee may determine whether or not it is necessary or desirable to issue any bonds authorized under this chapter, and if so, the amount of bonds then to be issued and sold. The committee may authorize the Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the Treasurer.

7446 The moneys in the fund shall be used for the acquisition, construction, renovation, remodeling, and deferred maintenance of state youth and adult correctional facilities. Moneys deposited in the fund may also be used for the refinancing of interim debt incurred for any of the purposes specified in this section. Of the moneys deposited in the fund pursuant to this chapter, fifteen million dollars ($15,000,000) shall be used for planning and construction by, or under the supervision of, the Department of Corrections of multipurpose community-based facilities for programs designed to reduce drug use, recidivism, and violence in the state's prison system, including, but not limited to, restitution centers, facilities for the incarceration and rehabilitation of drug offenders, and centers for intensive programs for parolees and offenders with nonviolent records, as recommended by the Blue Ribbon Commission on Inmate Population Management.

7447. (a) All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general

obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal thereof and interest thereon.

(b) There shall be collected annually in the same manner and at the same time as other state revenue is collected, that sum, in addition to the ordinary revenues of the state, that is required to pay the principal of and interest on those bonds, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of that revenue to do and perform each and every act which shall be necessary to collect that additional sum.

(c) All money deposited in the fund that has been derived from premiums or accrued interest on bonds sold shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

(d) All money deposited in the fund pursuant to any provision of law requiring repayments to the state that is financed by the proceeds of the bonds authorized by this chapter shall be available for transfer to the General Fund. When transferred to the General Fund, that money shall be applied as a reimbursement to the General Fund on account of the principal of and interest on the bonds which have been paid from the General Fund.

7448. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury for the purpose of this chapter such an amount as will equal the following

(a) That sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to this chapter

(b) That sum as is necessary to carry out the provisions of Section 7449, which sum is appropriated without regard to fiscal years.

7449 For the purpose of carrying out this chapter, the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund and shall be disbursed by the committee in accordance with this chapter. Any money made available under this section to the board shall be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this chapter. Those withdrawals from the General Fund shall be returned to the General Fund with interest at the rate which would otherwise have been earned by those sums in the Pooled Money Investment Account

7450 The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out the provisions of this chapter. The amount of the request shall not exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter The board shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

7451 Any bonds issued and sold pursuant to this chapter may be refunded by the issuance of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 2 of Title 2 of the Government Code. Approval by the electors of the state for the issuance of bonds shall include the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

7452. All proceeds from the sale of bonds, except those derived from premiums and accrued interest, shall be available for the purpose provided in Section 7446, but shall not be available for transfer to the General Fund to pay the principal of and interest on bonds. The money in the fund may be expended only as herein provided.

Notwithstanding any other provision of this chapter, or the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions, the Treasurer may maintain separate accounts for the bond proceeds invested and the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law, or take any other action with respect to the investment and the use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

7453. Money in the fund may only be expended pursuant to appropriations by the Legislature. The Department of Corrections and the Department of the Youth Authority, annually on or before January 10, shall submit their respective five-year facility master plans to the Legislature. Each plan shall include a program of proposed expenditures from the 1990-B Prison Construction Fund.

7454 The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

Number on ballot

145. **California Housing Bond Act of 1990.** (Statutes 1990, Chapter 577, SB 2456)

[Rejected by electors November 6, 1990]

PROPOSED LAW

SEC. 2. Section 52501 of the Health and Safety Code is amended to read:

52501. This part shall be administered by the California Housing Finance Agency and all of the provisions of Part 3 (commencing with Section 50900) which are not inconsistent with the provisions of this part shall apply to the agency and its administration of this part. *In addition to the purposes of the agency specified in Sections 50154 and 50950, the purpose and role of the agency includes making available financing opportunities for first-time homebuyers in California in the manner provided in this part.*

SEC. 3. Section 52502 of the Health and Safety Code is repealed.

~~52502. The First-Time Home Buyers Policy Committee is hereby created within the agency for the purpose of exercising those powers and responsibilities of the agency as specifically set forth in this division and, in the exercise of those powers and responsibilities, the acts of the policy committee shall be the acts of the agency.~~

~~The members of the policy committee shall be subject to the provisions of Part 3 (commencing with Section 50900) in the same manner as members of the board of directors of the agency.~~

SEC. 4. Section 52504 of the Health and Safety Code is amended and renumbered to read:

52502. The First-Time Home Buyers Fund is hereby created in the State Treasury. "Fund," as used in this part, means the First-Time Home Buyers Fund. Notwithstanding Section 13340 of the Government Code, all moneys in the fund are hereby continuously appropriated to the agency, without regard to fiscal years, for expenditure pursuant to this part, and for defraying actual administrative costs of the agency. Notwithstanding the provisions of Section 16305.7 of the Government Code and Section 52530, any interest earned or other increment derived from investments made from moneys in the fund shall be deposited in the fund. The agency may pledge any or all of the moneys in the fund as security for payment of the principal of, and interest on, and redemption premiums on, bonds issued pursuant to this part, and for such purpose or as necessary or convenient to the accomplishment of any other purpose of the agency pursuant to this part, may divide the fund into separate accounts. All moneys accruing to the agency pursuant to this part from whatever source shall be deposited in the fund.

SEC. 5. Section 52506 of the Health and Safety Code is repealed.

~~52506. The agency shall have the power to adopt, and from time to time to amend and repeal, by action of the policy committee, rules and regulations, not inconsistent with the provisions of this part, to carry into effect the powers and purposes of the agency pursuant to this part and the conduct of its business. Rules and regulations of the agency shall be adopted, amended, repealed, and published in accordance with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.~~

SEC. 6. Section 52506 is added to the Health and Safety Code, to read:

52506. The agency may, by resolution of the board, adopt, amend, and repeal rules to effectuate the powers and purposes of the agency and for the administration of the mortgage loan program authorized pursuant to this part.

SEC. 7. Chapter 2 (commencing with Section 52510) of Part 6 of Division 31 of the Health and Safety Code is repealed.

~~CHAPTER 2. BUY-DOWN MORTGAGE PLAN~~

~~52510. The agency may contract with qualified mortgage lenders with respect to mortgage loans qualified under this part to pay to such lenders, subject to the provisions of Section 52513, a sum of money as consideration for a reduction of the effective interest cost to the purchaser of an owner-occupied housing unit below market interest rates.~~

~~The buy-down mortgage program conducted under this part may be applicable to and include mortgage revenue bond financed programs. With respect to mortgage revenue bond financed programs, "market interest rate" means the effective mortgage interest rate to the borrower without the buy-down authorized by this part.~~

~~52511. The agency may make commitments to qualified mortgage lenders to make contracts for buy-down mortgage plans which conform to this part.~~

~~The agency may require the payment to the agency of a commitment fee to cover agency costs in extending such commitments and associated administrative costs, except that the total of commitment fees pursuant to this section and the projected recovery of administrative costs pursuant to Sections 52512 and 52514~~

~~shall not exceed the costs reasonably expected, in a prudent manner, to be incurred by the agency in the implementation of this part.~~

~~Commitments shall be made by the agency, acting through the policy committee, in a manner to best serve the purposes of this part and the interests of the first-time home buyer in the various geographical areas of this state, in varying forms of ownership where feasible, and including purchase of previously occupied housing, existing but not previously occupied housing, and housing to be constructed (with preference to housing which can be marketable within three months of the date of the commitment).~~

~~52512. The mortgage loan by a qualified mortgage lender for which a buy-down contract may be executed by the agency shall be in such form as determined by the regulations of the agency adopted by the policy committee. Such a loan shall be for a term of not less than six years or more than 30 years, but the repayments of principal and interest on such loan may be scheduled to provide for amortization in 30 years subject to a balloon payment at the end of the loan term. Such loan shall bear a fixed interest rate yield to the qualified mortgage lender which shall not exceed market interest as determined under Section 50080, except that the interest charged to the borrower may be on a graduated payment schedule as authorized in Section 52513. A qualified mortgage lender may charge to the borrower such initiation fees, points, or other charges approved by the agency, by regulation adopted by the policy committee, or otherwise, which may include administrative costs for the agency.~~

~~Any such loan by a qualified mortgage lender shall not exceed 90 percent of the appraised value of the property under standards applicable to that lender. A qualified mortgage lender shall agree to notify the agency of any default on the loan. The agency assumes no responsibility to the qualified mortgage lender, except for the contracted payment for the buy-down.~~

~~52513. The terms of the contract with a qualified mortgage lender for the buy-down mortgage plan shall be established by regulations of the agency adopted by the policy committee. Payments to a qualified mortgage lender under such contract shall not exceed the capitalized cost to the lender of the difference between market interest and the effective interest rate to the borrower under the buy-down program, plus any reasonable and demonstrated administrative costs, and provision shall be made for return by that lender to the agency, for credit against the borrower's note obtained by the agency pursuant to Section 52514, of any sums used to purchase a buy-down of the effective interest to the borrower on the mortgage loan and which have been unearned by the lender by virtue of prepayment of the mortgage loan for any reason, prior to the termination of the buy-down period. The buy-down program shall not result in an effective interest rate to the borrower which is more than 5 percent below market interest and such effective rate to the borrower, or monthly payment by the borrower, shall be adjusted annually in equal increments until, at the end of the sixth year, it is equal to market interest as determined at the initiation of the loan, and may, as determined by regulations of the agency adopted by the policy committee, exceed market interest in ensuing years in such amount as is necessary to amortize the security interest of the agency as provided in Section 52514, if the agency determines pursuant to Section 52514 that the term of the note and security interest securing the agency's participation is extended beyond the sixth year.~~

~~52513.5. (a) If: (1) a loan executed pursuant to Section 52512 is for a term of less than 30 years or provides for a balloon payment; (2) the loan has not been~~

~~prepaid in full or the property has not been sold or transferred prior to the maturity of the loan; and (3) the borrower is not in default; the lender shall offer or arrange for refinancing of the unpaid balance of the loan upon maturity and the balance of any note due the agency pursuant to Section 52514.~~

~~The refinancing may be provided directly by the lender or another mortgage lender, or the lender may arrange at the time of making the loan pursuant to Section 52512 for the refinancing to be provided by a federally or state-chartered bank or savings and loan association doing business in this state or by a qualified mortgage banker. As used in this section "qualified mortgage banker" means a lender (1) meeting the criteria established by the Government National Mortgage Association for lenders selling over ten million dollars ($10,000,000) in mortgage loans to that organization annually, and (2) which either has conducted an ongoing business of mortgage lending in this state for not less than five years immediately preceding the making of the loan pursuant to Section 52512, or made over fifty million dollars ($50,000,000) in mortgage loans in this state during the 12 months immediately preceding the making of the loan pursuant to Section 52512. If a refinancing commitment is arranged by the lender upon the origination of the loan pursuant to Section 52512, this fact shall be fully and fairly disclosed to the borrower, a copy of the lender's contract with the bank, savings and loan association, or qualified mortgage banker making the commitment shall be supplied to the borrower at that time, and the contract shall be fully enforceable by the borrower as a third-party beneficiary thereto, but the lender shall not be a guarantor of the obligation of the bank, savings and loan association, or qualified mortgage banker to provide refinancing.~~

~~If the original lender is a federally or state-chartered bank or savings and loan association doing business in this state or a qualified mortgage banker, it may provide the refinancing commitment to the borrower required by this section. In this event, any loan executed pursuant to Section 53512 shall contain a provision, which is fully and fairly disclosed to the borrower, which provides that any assignees or successors in interest of the original lender shall not be guarantors of the refinancing obligation, in which event the original lender's refinancing commitment shall be fully enforceable by the borrower.~~

~~(b) The term of the loan for refinancing shall be established so that the borrower's repayment schedule provides for the final installment payment not less than 30 years from the date of origination of the loan pursuant to Section 52512. However, if loans at that duration are generally not available, within the meaning of subdivision (d), the lender or other obligor shall give the borrower a choice of any form of loan and maturity for that type of loan which is available at the time of refinancing, within the meaning of subdivision (d). The lender or other obligor shall inform the borrower of the types of loans and maturities available for refinancing under this section not less than 60 days prior to maturity of the loan executed pursuant to Section 52512.~~

~~(c) The interest rate for the refinancing loan shall not exceed rates generally available in the market for the type of loan instrument provided under subdivision (d) at the time of maturity of the loan pursuant to Section 52512. No loan origination fees shall be required of the borrower, either as prepaid interest or for processing services, as a condition of obtaining a refinancing loan pursuant to this section, but the borrower may be required to pay the costs of obtaining a policy of title insurance in accordance with the lender's requirements. The refinancing loan need not be a fixed interest rate loan, unless that is the type of loan generally offered to, and utilized by, the public pursuant to subdivision (d)~~

~~(d) The refinancing loan may be any form of loan which, at the time of refinancing, is generally offered to, and utilized by the public, for financing housing similar to the borrower's by banks or savings and loan associations doing business in this state.~~

~~(e) The lender may require as a condition of the refinancing loan that it be secured by a deed of trust having a lien of first priority, and may require the borrower to submit a loan application, at least 60 days prior to the maturity of the loan made pursuant to Section 52512, including such information about the borrower and the security property as is ordinarily required of borrowers with respect to similar loans made by the lender and may impose qualifications on the borrower or property which are conventionally applied on similar loans on similar properties at that point in time.~~

~~52514. In consideration for the agency's contract, and performance of contract, to purchase a buy-down of the effective interest to the borrower on the mortgage loan, the agency shall obtain a note and deed of trust from the borrower under terms prescribed by regulations of the agency adopted by the policy committee. Such note and deed of trust shall be subordinate to the mortgage loan by a qualified mortgage lender executed pursuant to this part. The subordinate mortgage or deed of trust obtained by the agency under this section may, at the option of the agency exercised upon the initiation of such note and mortgage, provide that all amounts due and payable shall be paid at the end of the sixth year or shall be repaid on an amortized basis commencing with the seventh year and extending through the 30th year, or some term selected by the agency and provided in the initiating loan documents between the end of the sixth year and the end of the 30th year. The amount of the subordinate note and mortgage shall be equal to the contract amount advanced by the agency to the qualified mortgage lender to effect the buy-down, plus interest on those amounts at a rate calculated to cover the cost of funds to the agency for this program and administrative costs, less any amounts returned to the agency by the lender for the credit of the borrower pursuant to Section 52513, and shall be specified in the note and mortgage upon the initiation of that note and mortgage.~~

~~The agency may make and execute contracts with the qualified mortgage lender for the initiation or servicing of the subordinate mortgage loan. The agency may pay the reasonable value of services rendered to the agency pursuant to such contracts.~~

~~The notes and mortgages may be held or sold by the agency, or the agency may create pools of such loans, obligations, and participations held by the agency and may sell securities backed by such pools.~~

~~52514.5. All payments to the agency by the borrower on any note executed pursuant to Section 52514 shall be considered payments of interest for the purposes of Section 17203 of the Revenue and Taxation Code.~~

~~52515. The real property to be purchased by the borrower on a mortgage loan pursuant to this part shall be an owner-occupied housing unit, the acquisition price of which does not exceed 90 percent of the average purchase price in the statistical area, except that such acquisition cost shall not exceed 110 percent of the average purchase price in a targeted area. The average purchase price means the purchase price determined by the agency, through action of the policy committee, for similar owner-occupied units. Such determinations shall be made not less often than annually for each statistical area and targeted area.~~

~~52516. The agency shall establish by regulation, adopted by the policy committee, standards for the eligibility of purchasers of housing subject to this~~

~~part. Such individuals shall be first-time home buyers. Mortgages pursuant to this part cannot be used to acquire or replace an existing mortgage, except a mortgage which is security for a construction loan or a bridge loan or similar temporary initial financing. The purchaser shall be a resident of California. The qualified mortgage lender shall certify to the agency, in good faith, after prudent qualification of the purchaser that the purchaser is qualified under the provisions of this part. Section 51067 is not applicable to mortgage loans under this part.~~

~~52517. Notwithstanding any other provisions of this part, only mortgage loans are eligible for buy-down under the provisions of this part which are presently, or are expected to be, insured in whole or part by the Federal Housing Administration or guaranteed in whole or part by the United States Veterans Administration, the Farmers Home Administration of the United States Department of Agriculture, an agency of the state, by a private insuring entity authorized to engage in such business, or by any combination of the above, in percentages determined by the agency by regulation adopted by the policy committee.~~

~~52518. Notwithstanding the provisions of Section 711 of the Civil Code, the agency shall not permit the assumption of the obligation under any note or mortgage securing the interest of the agency pursuant to Section 52514, by a subsequent ineligible purchaser or transferee of the prior borrower. If the subsequent purchaser or transferee does not meet the eligibility requirements of this part, the agency shall require acceleration of repayment of the principal balance of the loan to be all due and payable upon the sale or transfer of the property. For purposes of determining eligibility, the limits on acquisition price, as specified in Section 52515, shall be determined at the time of the proposed assumption.~~

~~52519. The agency may renegotiate, refinance, foreclose, or contract for the foreclosure of any mortgage executed pursuant to Section 52514 which is in default, and may waive any default or consent to the modification of the terms of any mortgage. With respect to mortgage loans made pursuant to this part, the agency shall require that mortgage servicing and foreclosure practices, including forebearance and recasting of mortgages in default, conform to agency regulations.~~

~~The agency may commence any action to protect or enforce any right conferred upon it by any law, mortgage, contract, or other agreement, and may bid for and purchase property sold in satisfaction thereof at any foreclosure or other sale or may otherwise acquire and take possession of such property. In connection with any such proceeding, the agency may assume any underlying mortgage held by a qualified mortgage lender or may, as necessary to acquire and take possession of such property, pay any note in order to remove any prior encumbrance. Subject to any agreement with bondholders, the agency may operate, manage, lease, dispose of, and otherwise deal with such property in such manner as may be necessary to protect the interest of the agency and the holders of its bonds.~~

SEC. 8. Chapter 2 (commencing with Section 52510) is added to Part 6 of Division 31 of the Health and Safety Code, to read:

CHAPTER 2. FIRST-TIME HOME PURCHASE ASSISTANCE PROGRAM

52510. The agency shall administer a home purchase assistance program in accordance with the provisions of this part to assist first-time homebuyers to utilize mortgage financing available pursuant to Part 3 (commencing with Section 50900) of this division with the additional financial resources made available pursuant to this part.

52511. Home purchase assistance under this part shall include, but not be limited to, both an interest rate subsidy to reduce the interest rate paid by the borrower on the first-mortgage loan and a deferred-payment, low-interest second-mortgage loan to reduce the principal and interest payments on the first-mortgage loan. The amount of home purchase assistance shall not exceed the amount necessary to make the total debt financing affordable to eligible households, but in no event shall the interest rate subsidy reduce the effective interest rate to the borrower below 3 percent per annum, nor shall the deferred-payment, low-interest, second-mortgage loan exceed 49 percent of the total debt financing necessary to purchase the home. The loan amount may include the costs of closing escrow.

52512. The amount of home purchase assistance provided under this part shall constitute a second-mortgage loan secured by a deed of trust of second priority to the first-mortgage loan provided by the agency pursuant to Part 3 (commencing with Section 50900) of this division or by a conventional lender pursuant to policies established by the agency. The second-mortgage loan shall be due and payable upon sale, transfer, or refinancing of the home, except upon assumption of the loan as provided in this section. If the home is not sold, transferred, or refinanced during the term of the first-mortgage loan, the second-mortgage loan, including any accrued interest, shall begin amortizing on the same terms as the first-mortgage loan on the next periodic payment date after the final payment on the first-mortgage loan until the second-mortgage loan is repaid in full. Mortgage loans under this program may be assumed only if the transferee and the property meet the eligibility requirements of this part. The terms of the promissory note for the second-mortgage loan may include provision for simple interest to accrue over the term of the loan and payable with the loan as provided in this section. Any repayment of principal or payment of interest from loans made pursuant to this part shall be deposited in the First-Time Home Buyers Fund.

52513. Eligible borrowers under this chapter shall be California residents who are first-time homebuyers as determined by Section 50068.5, whose income does not exceed 35 percent of the average area purchase price of resale homes.

52514. Property eligible to be assisted pursuant to this part shall be owner-occupied, single-family dwellings, manufactured homes as installed pursuant to Section 18551, and factory built homes, subject to mortgage loans as provided in Section 52512, the interest on which constitutes interest for the purposes of Section 17230 of the Revenue and Taxation Code, and which otherwise conform to the standards, policies, and procedures of the agency The purchase price of a property eligible to be assisted shall not exceed either of the following:

(a) One hundred percent of the average area purchase price of a resale home when the borrowers are one- or two-member households.

(b) One hundred ten percent of the average area purchase price of a resale home when the borrowers are three or more member households.

52515. Only mortgage loans which are insured or guaranteed in whole or in part by the Federal Housing Administration, the United States Veterans Administration, the Farmers Home Administration, the California Housing Insurance Fund or any other state agency, a private mortgage insurer authorized to engage in that business, or by any combination of the above in percentages determined by the agency shall be eligible for assistance under this part. Fifteen percent of the fund shall be transferred to the California Housing Insurance Fund to be expended for programs authorized by Part 4 (commencing with Section 51600) for single family home bond and mortgage insurance.

52516. The agency may make commitments to qualified mortgage lenders to make contracts for home purchase assistance which conform to this part. The agency may require the payment to the agency of a commitment fee to cover agency costs in extending these commitments and associated administrative costs. Commitments shall be made by the agency in a manner designed to serve the interests of first-time homebuyers in geographical areas of the state where existing tax-exempt bond-financed programs do not meet the needs of persons and families of moderate income.

SEC. 9. Section 52526 of the Health and Safety Code is amended to read:

52526. The State General Obligation Bond Law is adopted for the purpose of the issuance, sale and repayment of, and otherwise providing with respect to, the bonds *or securities* authorized to be issued by this chapter, and the provisions of that law are included in this chapter as though set out in full in this chapter. *For purposes of this chapter, "securities" has the same meaning as "bonds" as defined in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code).*

SEC. 10. Section 52528 of the Health and Safety Code is amended to read:

52528. The committee is hereby authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the aggregate of two hundred million dollars ($200,000,000), *exclusive of refunding bonds,* in the manner provided in this chapter. Such debt or debts, liability or liabilities, shall be created for the purpose of providing the funds to be used for the purposes specified in Section 52505 and shall be deposited in the First-Time Home Buyers Fund created pursuant to Section ~~52504~~ *52502*.

SEC. 11. Section 52529 of the Health and Safety Code is amended to read:

52529. The committee, upon the request of the board stating the purposes for which the bonds *or securities* are proposed to be used and the amount of the proposed issuance, shall determine whether or not it is necessary or desirable to issue any bonds *or securities* authorized under this chapter, and if so, the amount of bonds *or securities* then to be issued and sold. The committee may authorize the ~~State~~ Treasurer to sell all or any part of the bonds *or securities* herein authorized at such time or times as may be fixed by the ~~State~~ Treasurer.

SEC. 12. Section 52531.5 is added to the Health and Safety Code, to read:

52531.5. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of the State General Obligation Bond Law. Approval by the electors of the state for the issuance of the bonds shall include the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

SEC. 13. Section 52532.3 is added to the Health and Safety Code, to read:

52532.3. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out the provisions of this chapter. The amount of the request shall not exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. The board shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

SEC. 14. Section 52532.6 is added to the Health and Safety Code, to read:

52532.6. Notwithstanding any provision of this chapter or the State General Obligation Bond Law as set forth in Chapter 4 (commencing with Section 16720)

of Part 3 of Division 4 of Title 2 of the Government Code, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes, subject to designated conditions, the Treasurer shall be authorized to maintain separate accounts for the investment of bond proceeds and the investment earnings on the proceeds, and the Treasurer shall be authorized to use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

SEC. 15. Nothing contained in this act shall affect the validity of or in any way impair the agency's ability to fulfill its obligations on loans originated under the Cal-First Home Buyers Program prior to the effective date of this act.

SEC. 16. Section 52533 of the Health and Safety Code is amended to read:

52533. Money in the First-Time Home Buyers Fund may only be expended for projects specified in this ~~chapter~~ *part*.

SEC. 18. Section 53137 is added to Part 8 (commencing with Section 53130) of Division 31 of the Health and Safety Code, to read:

53137. The Legislature may, from time to time, amend the provisions of law relating to programs to which funds are allocated pursuant to Section 53130 for the purpose of improving the efficiency and effectiveness of the program. The Legislature may also, from time to time, amend the provisions of law relating to programs to which funds are allocated pursuant to Section 53130 for the purpose of furthering the goals of those programs.

SEC. 20. Part 11 (commencing with Section 53500) is added to Division 31 of the Health and Safety Code, to read:

PART 11. CALIFORNIA HOUSING BOND ACT OF 1990

CHAPTER 1. GENERAL PROVISIONS

53500. This part shall be known and may be cited as the California Housing Bond Act of 1990.

53501. As used in this part, the following terms have the following meanings:

(a) "Committee" means the Housing Committee created pursuant to Section 53505.

(b) "Fund" means the Roberti Affordable Housing Fund created pursuant to Section 53160.

CHAPTER 2. ROBERTI AFFORDABLE HOUSING FUND

53502. The proceeds of bonds issued and sold pursuant to this part shall be deposited in the Roberti Affordable Housing Fund. Moneys in the fund shall be allocated as provided in Part 8 (commencing with Section 53130).

CHAPTER 3. FISCAL PROVISIONS

53502.5. Bonds in the total amount of one hundred twenty-five million dollars ($125,000,000), exclusive of refunding bonds issued pursuant to Section 53503, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this part and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full

faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

53503. Any bonds issued and sold pursuant to this chapter may be refunded by the issuance of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 2 of Title 2 of the Government Code. Approval by the electors of the state for the issuance of these bonds shall include the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

53504. The bonds authorized by this part shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this part and are hereby incorporated in this part as though set forth in full in this part.

53505. (a) Solely for the purposes of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this part, the Housing Committee is hereby created. For purposes of this part, the Housing Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Controller, the Treasurer, the Director of Finance, the Director of Housing and Community Development, and the Executive Director of the California Housing Finance Agency, or their designated representatives. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Department of Housing and Community Development is designated as the "board" for programs administered by the department, the Board of Directors of the California Housing Finance Agency is designated as the "board" for programs administered by the agency, and the governing board of the California Housing Insurance Fund is designated as the "board" for programs administered by the fund.

53506. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this part in order to carry out the actions specified in Part 8 (commencing with Section 53130) and, if so, the amount of bonds to be issued and sold Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

Bonds authorized under this part may bear interest which is taxable for purposes of the Internal Revenue Code or may be exempt from that taxation. Taxable bonds shall, however, only be issued where federal law would preclude the use of the proceeds of tax-exempt bonds for a purpose otherwise permitted under Chapter 10 (commencing with Section 51475) of Part 3 of Division 31.

53507. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds maturing each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

53508. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this part, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this part, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 53509, appropriated without regard to fiscal years.

53509. For the purposes of carrying out this part, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized to be sold for the purpose of carrying out this part. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, plus interest that the amounts would have earned in the Pooled Money Investment Account, from money received from the sale of bonds for the purpose of carrying out this part.

53510. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out the provisions of this chapter. The amount of the request shall not exceed the amount of unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. The board shall execute such documents as are required by the Pooled Money Investment Board to obtain and repay the loan Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

53511. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

53311.5. Notwithstanding any provision of this part or the State General Obligation Bond Law as set forth in Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, if the Treasurer sells bonds pursuant to this part that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes, subject to designated conditions, the Treasurer shall be authorized to maintain separate accounts for the investment of bond proceeds and the investment earnings on those proceeds, and the Treasurer shall be authorized to use or direct the use of those proceeds or earnings to pay any rebate, penalty or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

53512. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this part are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

Number on ballot

147. **County Correctional Facility Capital Expenditure and Juvenile Facility Bond Act of 1990.** (Statutes 1990, Chapter 579, SB 1094)

[Rejected by electors November 6, 1990.]

PROPOSED LAW

SECTION 1. Title 4.9 (commencing with Section 4496.50) is added to Part 3 of the Penal Code, to read:

TITLE 4.9. COUNTY CORRECTIONAL FACILITY CAPITAL EXPENDITURE AND JUVENILE FACILITY BOND ACT OF 1990

CHAPTER 1. GENERAL PROVISIONS

4496.50. This title shall be known and may be cited as the County Correctional Facility Capital Expenditure and Juvenile Facility Bond Act of 1990.

4496.51. The Legislature finds and declares all of the following:

(a) While the County Jail Capital Expenditure Bond Act of 1981, the County Jail Capital Expenditure Bond Act of 1984, the County Correctional Facility Capital Expenditure Bond Act of 1986, and the County Correctional Facility Capital Expenditure and Youth Facility Bond Act of 1988 have helped eliminate many of the critically overcrowded conditions found in county correctional facilities in the state, many problems remain

(b) Numerous county jails and juvenile facilities throughout California are dilapidated and overcrowded

(c) Capital improvements are necessary to protect life and safety of the persons confined or employed in jail facilities and to upgrade the health and sanitary conditions of those facilities.

(d) County jails are threatened with closure or the imposition of court supervision if health and safety deficiencies are not corrected immediately.

(e) Due to fiscal constraints associated with the loss of local property tax revenues, counties are unable to finance the construction of adequate jail and juvenile facilities.

(f) Local facilities for adults and juveniles are operating over capacity and the population of these facilities is still increasing It is essential to the public safety that construction of new facilities proceed as expeditiously as possible to relieve overcrowding and to maintain public safety and security.

4496 52 As used in this title, the following terms have the following meanings:

(a) "Committee" means the 1990 County Correctional Facility Capital Expenditure and Juvenile Facility Finance Committee created pursuant to Section 4496.59.

(b) "Fund" means the 1990 County Correctional Facility Capital Expenditure and Juvenile Facility Bond Fund created pursuant to Section 4496.53.

(c) "County correctional facilities" means county jail facilities, including separate facilities for the care of mentally ill inmates and persons arrested because of intoxication, but does not include county juvenile facilities.

(d) "County juvenile facilities" means county juvenile halls, juvenile homes, ranches, or camps, and other juvenile detention facilities.

(e) "Youth center" means a facility where children, ages 6 to 17, inclusive, come together for programs and activities, including, but not limited to, recreation, health and fitness, delinquency prevention (such as antigang

programs and programs fostering resistance to peer group pressures), counseling for problems such as drug and alcohol abuse and suicide, citizenship and leadership development, and youth employment.

(f) "Youth shelter" means a facility that provides a variety of services to homeless minors living on the street to assist them with their immediate survival needs and to help reunite them with their parents or, as a last alternative, to find a suitable home.

CHAPTER 2. PROGRAM

4496.53. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the 1990 County Correctional Facility Capital Expenditure and Juvenile Facility Bond Fund, which is hereby created.

4496.54. (a) Moneys in the fund, up to a limit of one hundred fifty million dollars ($150,000,000), may be available for the construction, reconstruction, remodeling, and replacement of county correctional facilities, and the performance of deferred maintenance on county correctional facilities However, deferred maintenance for facilities shall only include items with a useful life of at least 10 years.

(b) Moneys in the fund, up to a limit of fifty million dollars ($50,000,000), may be available for the construction, reconstruction, remodeling, and replacement of county juvenile facilities, and the performance of deferred maintenance on county juvenile facilities, but may only be used for the purpose of reducing overcrowding and eliminating health, fire, and life safety hazards.

(c) Moneys in the fund, up to a limit of twenty-five million dollars ($25,000,000), are hereby appropriated to the Department of the Youth Authority for the purpose of making awards to public or private nonprofit agencies or joint ventures, or a combination of those entities, for purposes of purchasing equipment and for acquiring, renovating, or constructing youth centers or youth shelters, as provided by the Youth Center and Youth Shelter Bond Act of 1988. Fifteen million dollars ($15,000,000) shall be available for youth centers Ten million dollars ($10,000,000) shall be available for youth shelters. All money shall be distributed by the Department of the Youth Authority. However, any remaining money that has not been awarded under this subdivision within two years of the effective date of this title shall be available for both youth centers and youth shelters

(d) Expenditure shall be made only if county matching funds of 25 percent are provided as determined by the Legislature, except that this requirement may be modified or waived by the Legislature where it determines that it is necessary to facilitate the expeditious and equitable construction of state and local correctional facilities.

4496.55. In order to be eligible to receive funds for the purposes specified in Section 4496 54 derived from the issuance of bonds under this title, a county shall do all of the following.

(a) Adopt a plan to prohibit the detention of all juveniles in county jails unless otherwise authorized by law.

(b) Demonstrate that it has adequate facilities for mentally ill inmates or detainees and for those persons arrested because of inebriation, or demonstrate that it has a plan for the provision of services to these persons

(c) Demonstrate that it has utilized, to the greatest practicable extent, alternatives to jail incarceration.

4496.56. (a) If after the effective date of this title, the electors of a county adopt an initiative measure or approve a referendum measure stating their

opposition to the location of, or expansion of, a state prison in the county, whether at a specified location or otherwise, or if the board of supervisors adopts a resolution or ordinance stating its opposition to the location of, or expansion of, a state prison in the county, whether at a specified location or otherwise, that county shall not thereafter be eligible for the receipt of funds under this title until and unless that measure is repealed by the electors or the board of supervisors.

(b) Subdivision (a) shall not preclude the board of supervisors from informing the Department of Corrections of problems associated with a specific proposed facility or site in response to a specific request from the Department of Corrections or pursuant to Section 7004, and subdivision (a) shall not apply to such a response.

(c) Subdivision (a) shall not apply to any county which has two or more prisons which are planned and sited, under construction, or in operation on the effective date of this title.

4496.57. Money in the fund may only be expended for projects specified in this chapter as allocated in appropriations made by the Legislature

CHAPTER 3. FISCAL PROVISIONS

4496 58. Bonds in the total amount of two hundred twenty-five million dollars ($225,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this title and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

4496.59. The bonds authorized by this title shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this title.

4496.60. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this title, the 1990 County Correctional Facility Capital Expenditure and Juvenile Facility Finance Committee is hereby created. For purposes of this title, the finance committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Governor, the Controller, the Treasurer, the Director of Finance, or their designated representatives A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Board of Corrections is designated the "board."

4496.61. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 4496.54 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

4496.62. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum

4496.63. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 4496.42, appropriated without regard to fiscal years.

4496.64. For the purposes of carrying out this title, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section, plus any interest that the amounts would have earned in the Pooled Money Investment Account, shall be returned to the General Fund from money received from the sale of bonds for the purpose of carrying out this title.

4496.65. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

4496.66. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code

4496.67. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out the provisions of this chapter. The amount of the request shall not exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. The board shall execute such documents as required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

4496.68. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this title are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

4496.69 Notwithstanding any other provision of this chapter or the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions, the Treasurer may maintain separate accounts for the investment of bond proceeds and the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay

any rebate, penalty, or other payment required under federal law, or take any other action with respect to the investment and the use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

Number on ballot

148. **Water Resources Bond Act of 1990.** (Statutes 1990, Chapter 919, AB 1312)

[Rejected by electors November 6, 1990]

PROPOSED LAW

SECTION 1. Division 8 (commencing with Section 15000) is added to the Water Code, to read:

DIVISION 8 WATER RESOURCES BOND ACT OF 1990

CHAPTER 1 GENERAL PROVISIONS

15000. This division shall be known and may be cited as the Water Resources Bond Act of 1990.

15001. As used in this chapter, the following terms have the following meanings:

(a) "Board" means the State Water Resources Control Board.

(b) "Committee" means the Water Resources Finance Committee created pursuant to Section 15253.

(c) "Department" means the Department of Water Resources.

(d) "Fund" means the Water Resources Bond Fund created pursuant to Section 15250.

CHAPTER 2. CALIFORNIA WATER PROJECTS ASSISTANCE

Article 1. General Provisions

15050. This chapter shall be known and may be cited as the California Water Projects Assistance Act.

15051 (a) The object of this chapter is to provide funds to assist in the development, control, and conservation of the water resources of this state, and therefore to provide financial assistance to public agencies for the construction of water storage facilities to meet local requirements. It is also the object of this chapter to provide funds to public agencies that would not otherwise be able to finance water storage facilities without the assistance made available under this chapter.

(b) In the administration of this chapter, the department shall give preference to projects involving the development of new basic water supplies to remedy existing water supply problems, including a lack of adequate water supply or future water supply based upon demand projections due to population growth. The department may also give preference to projects involving the repair, alteration, or replacement of dam and reservoir facilities which are subject to storage restrictions for dam safety purposes pursuant to Part 1 (commencing with Section 6000) of Division 3.

(c) The department, with the approval of the California Water Commission, shall establish priorities for funding projects on the basis of their economic, social, and environmental impacts. In establishing priorities, particular emphasis shall be given to remedying existing water supply problems, the public necessity

for the project, the urgency of the need, the engineering feasibility, and the economic need for the project. The recreation and fish and wildlife enhancement functions, as well as the water storage functions, of the proposed project shall be considered. The availability of additional sources of funding shall be considered in determining the feasibility of the project. Secondary purposes of flood control and power production may be taken into consideration in the economic justification of a proposed project. Factors such as the public health, safety, and welfare shall be taken into consideration in determining the need for a proposed project.

(d) The enactment of this chapter shall not be construed as creating any right to water or the use thereof, nor as affecting any existing law with respect to water or water rights, except as expressly provided in this chapter, nor shall anything in this chapter affect or be construed as affecting vested water rights.

(e) No facility constructed, in whole or in part, with funds made available by this chapter shall be used to transport water, the right to which was secured through eminent domain by others than the state, unless approved by a statute enacted by the Legislature

15052. As used in this chapter, the following terms have the following meanings:

(a) "Account" means the California Water Projects Assistance Account created pursuant to Section 15060.

(b) "Feasibility study" means any engineering, environmental, or financial study designed to determine the feasibility of a proposed project

(c) "Project" means any dam, reservoir, or other construction or improvement, including land acquisition, by a public agency for the diversion, storage, or primary distribution of water, or facilities for groundwater extraction, primarily for domestic, municipal, agricultural, industrial, recreational, and fish and wildlife enhancement purposes. A project may include flood control or power production as secondary purposes, but costs allocable to those purposes shall not be funded under this chapter.

(d) "Public agency" means any city, county, city and county, district, or joint powers authority. "Public agency" does not include any private person, partnership, corporation, or other private entity, whether for profit or organized as a nonprofit entity.

Article 2. California Water Project Assistance Program

15060 (a) There is hereby created in the fund the California Water Projects Assistance Account for the purpose of implementing this chapter. The sum of twenty-five million dollars ($25,000,000) is hereby transferred from the fund to the account.

(b) There is in the account the Water Projects Assistance Subaccount. The sum of twenty-three million dollars ($23,000,000) is hereby transferred from the account to the Water Projects Assistance Subaccount and is, notwithstanding Section 13340 of the Government Code, appropriated without regard to fiscal years to the department for purposes of implementing Sections 15064 and 15065.

(c) There is in the account the Mitigation and Enhancement Subaccount. The sum of two million dollars ($2,000,000) is hereby transferred from the account to the Mitigation and Enhancement Subaccount and is, notwithstanding Section 13340 of the Government Code, appropriated without regard to fiscal years to the department for purposes of implementing Section 15067

(d) The department may create additional subaccounts in the account as it determines necessary or appropriate for proper administration.

15061. (a) The department may make loans to public agencies, upon approval of the Legislature by statute, to aid in the acquisition of land and the construction of projects, and to mitigate the environmental impacts of projects and enhance fish and wildlife resources.

(b) Notwithstanding any other provision of law, the proceeds of any bonds authorized to be issued under the Water Conservation Bond Law of 1988 (Chapter 4 7 (commencing with Section 12879) of Part 6 of Division 6) and deposited in the Local Water Projects Assistance Account under Section 12879.5, which are unobligated upon voter approval of this division, may be used for loans to public agencies in accordance with the terms, conditions, and purposes of this chapter.

(c) The department may adopt rules and regulations necessary to carry out the purposes of this chapter. Notwithstanding any other provision of law, existing rules and regulations adopted by the department pursuant to Chapter 4.7 (commencing with Section 12879) of Part 6 of Division 6 that are in effect on November 7, 1990, may be utilized to carry out this chapter. The department may subsequently amend those rules and regulations pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code as necessary to carry out this chapter.

15062. (a) For the purposes of administering this chapter, the total expenditures of the department may not exceed 5 percent of the total amount of the bonds authorized to be issued for purposes of this chapter. For the purposes of administering individual loans to public agencies, the department shall establish a reasonable schedule of administrative fees for loans, which shall be paid by the applicant pursuant to Section 15063 to reimburse the department for its actual and necessary costs for the administration of those loans. Administrative fees shall not be imposed for any other purpose.

(b) Charges incurred by the Attorney General in protecting the state's interests in the use and repayment of loan funds under this chapter shall be paid from the proceeds of bond sales for purpose of this chapter. These charges shall not be paid from funds allocated for administrative purposes, but shall be treated as program expense not to exceed one-half of 1 percent of the total amount of the bonds authorized to be sold for purposes of this chapter.

15063. Any contract entered into pursuant to this chapter for a project may include provisions as may be determined by the department and shall include, in substance, all of the following provisions:

(a) A finding by the department that the public agency has the ability to repay the loan, that the project is economically justified, and that the project is feasible from an engineering and geologic standpoint.

(b) An estimate of the reasonable cost and benefit of the project

(c) An agreement by the public agency to proceed expeditiously with and complete the project.

(d) A prohibition against any moratorium or deferment on payments of principal or interest.

(e) The public agency shall demonstrate, to the satisfaction of the department, that an adequate opportunity for public participation regarding the loan has been provided.

(f) Any election held with respect to the loan shall include the entire public agency, unless the agency proposes to accept the loan on behalf of a specified portion, or portions, of the agency, in which case the election shall be held in that portion or portions of the agency only

(g) Annual principal and interest payments shall commence not later than one year after completion of the project, and all loans shall be fully amortized not later than 20 years after project completion.

(h) The recipient of a loan shall establish a dedicated source of revenue for repayment of the loan.

(i) Any loans made pursuant to this chapter may be for a period of up to 20 years. The interest rate for the loans shall be set at a rate equal to the interest rate paid by the state on the most recent sale of state general obligation bonds, with that rate to be computed according to the true interest cost method. If the interest rate so determined is not a multiple of one-tenth of 1 percent, the interest rate shall be set at the next higher multiple of one-tenth of 1 percent. The interest rate for each contract shall be applied throughout the repayment period of the contract. There shall be a level annual repayment of principal and interest on the loans. The amount of the principal shall include the administrative fee specified in subdivision (a) of Section 15062.

15064. No project may receive more than ten million dollars ($10,000,000) in loans from the department. Loans may be made for all or any part of the construction cost of the project, except for any costs allocable to the secondary purposes of flood control and power production. However, in no event shall the loan be in an amount greater than the proportion of the construction cost of the project which the department finds to be beyond the reasonable ability of the public agency to finance from other sources.

15065. (a) The department may make loans to public agencies for the acquisition of interests in lands that are necessary for the construction, operation, or maintenance of proposed projects that are eligible for loans under this chapter. The loans may be made separate and apart from loans that may be made under this chapter for the construction of proposed projects.

(b) The making of a loan pursuant to this section is subject to all of the following conditions

(1) The loan may be made for all, or any part, of the cost of acquiring interests in lands for a proposed project, but in no event shall the loan be in an amount greater than the portion of those costs which the department finds to be beyond the reasonable ability of the public agency to finance from other sources.

(2) The loan shall not exceed five million dollars ($5,000,000) for a project.

(c) The loan shall be repayable with interest upon the same terms as are applicable to construction loans that are made pursuant to this chapter, as set forth in Section 15063.

The contract shall require the sale of the interest in lands that are acquired with the loan if, in the department's determination, the construction of the proposed project has not commenced within 10 years from the date of the first disbursement of loan funds under the contract or with any extension of that period that the department may allow.

The contract shall require, in that situation, that the interest in land be offered for sale within six months from the termination of the 10-year period or of any extension thereof, and that the proceeds of the sale be applied to the repayment of the principal amount of the loan and the payment of the accrued interest thereon. Any remaining proceeds after deducting administrative costs of the public agency in the purchase and sale of the interest in the lands shall be repaid to the state.

15066. Notwithstanding any other provision of law, any land acquired with a loan made pursuant to Section 15063, which is located outside the boundaries of

the public agency acquiring the land and which was subject to taxation at the time of acquisition, shall remain subject to taxation.

15067. The department may make loans from money in the Mitigation and Enhancement Subaccount to public agencies to aid in the mitigation of the environmental impacts of projects on fish and wildlife resources or to aid in the enhancement of fish and wildlife resources, or both. One million dollars ($1,000,000) shall be used for mitigation purposes, and one million dollars ($1,000,000) for enhancement purposes.

15068. (a) The department may make loans to public agencies, under terms and conditions that may be determined necessary by the department, for the purposes of financing feasibility studies of projects potentially eligible for funding pursuant to this chapter. The amount of a feasibility loan shall not exceed 10 percent of the estimated cost of the proposed project or five hundred thousand dollars ($500,000), whichever is less. The interest rate on the feasibility loans shall be the same as the interest rate for all other loans made under this chapter.

(b) Not more than 10 percent of the total amount of bonds authorized to be issued for purposes of this chapter shall be available for loans for feasibility studies

15069. Applications for loans under this chapter shall be made to the department in the form and with supporting material that may be prescribed by the department. Applications shall require the applicant to specify any other sources of funding for the proposed project, and those additional sources of funding shall be considered in determining approval of the application. Applications shall also include supporting material demonstrating the ability of a public agency to repay the loan and to finance the proposed project.

15070. (a) Before a public agency may enter into a contract with the department for a construction or land acquisition loan under this chapter, the public agency shall hold an election on the proposition of whether or not the public agency shall enter into the proposed contract and more than 50 percent of the votes cast at that election shall be in favor of the proposition, except that, if a higher percentage of favorable votes is required for the issuance of any bonds by the public agency or is required by the California Constitution before the public agency may incur an indebtedness, that higher percentage shall apply.

(b) The election shall be held in accordance with Article 9 (commencing with Section 12889) of Chapter 5 of Part 6 of Division 6.

15071. The department shall keep full and complete records and accounts concerning all of its transactions under this chapter and shall annually submit a report on those transactions to the Legislature

15072. In order to effectuate loans made by the department pursuant to this chapter, the Controller shall, upon demand of the department, draw warrants made payable to those public agencies and in the amounts as are, from time to time, designated by the department. The Treasurer shall pay the warrants from available money

15073. (a) The Controller shall audit the books and records of public agencies receiving loans pursuant to this chapter, as the Controller may determine to be necessary from time to time, for the purposes of determining whether the loans have been expended for the purposes authorized, and under the conditions required, by this chapter.

(b) Whenever the Controller determines that any money paid to a public agency has been expended by the public agency for purposes not authorized by

this chapter, or exceeds the final cost of the project for which a loan was made, or exceeds the final cost of the feasibility report for which a loan was made, the Controller shall furnish written notice to the department and to the public agency directing the public agency to pay into the State Treasury the amount of those unauthorized expenditures, or the amount in excess of the final authorized cost of the project or the feasibility report Upon receipt of that notice, the public agency shall, at the time specified therein, pay to the Treasurer the amount set forth in the notice. That amount shall, upon order of the Controller, be deposited in the State Treasury to the credit of the fund to be available for the purposes of this chapter.

(c) The public agency shall make the payment to the Treasurer, and the Controller shall make that collection.

15074. All loans made pursuant to this chapter are subject to the approval of the California Water Commission.

15075. No member of the California Water Commission shall participate in the action of the commission in considering for approval, or approving, a loan under this chapter to a public agency of which he or she is an officer, employee, agent, consultant, accountant, engineer, or legal counsel or in which he or she owns real property

15076. The Legislature may amend this chapter by either of the following methods:

(a) By statute, passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with the purposes of this chapter

(b) By a statute that becomes effective only when approved by the voters.

CHAPTER 3. FLOOD CONTROL PROGRAM OF 1990

15100. This chapter shall be known and may be cited as the Flood Control Act of 1990.

15101. The Flood Control Account is hereby created in the fund. The sum of ninety million dollars ($90,000,000) is hereby transferred from the fund to the account for the purpose of implementing this chapter.

15102 The money in the account shall be available, when appropriated by the Legislature, for the state share of the nonfederal costs of flood control and flood prevention projects as are now authorized under the State Water Resources Law of 1945 (Chapter 1 (commencing with Section 12570) and Chapter 2 (commencing with Section 12639) of Part 6 of Division 6), the Flood Control Law of 1946 (Chapter 3 (commencing with Section 12800) of Part 6 of Division 6), and the California Watershed Protection and Flood Prevention Law (Chapter 4 (commencing with Section 12850) of Part 6 of Division 6), including credits and loans to local agencies under Sections 12585.3, 12585.4, 12866.3, and 12866.4, and for expenditures under Chapter 3.5 (commencing with Section 12840) of Part 6 of Division 6.

Notwithstanding Section 12657, the money in the Flood Control Account shall only be available for a project which is expressly authorized by Congress and the Legislature and specifically listed by name in federal and state statute as of January 1, 1991, or which is authorized as a small flood control project under Section 12750 or as a watershed protection project under Section 12868

15103. The department may adopt rules and regulations, including emergency regulations, necessary to carry out the purposes of this chapter

15104. The Legislature may amend this chapter by either of the following methods:

(a) By statute, passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with the purposes of this chapter.

(b) By a statute that becomes effective only when approved by the voters.

CHAPTER 4. CALIFORNIA SAFE DRINKING WATER AND DROUGHT RELIEF

Article 1. General Provisions

15125. This chapter shall be known and may be cited as the California Safe Drinking Water and Drought Relief Act.

15126. The Legislature hereby finds and declares all of the following:

(a) The State Department of Health Services has discovered toxic contaminants in many of California's public drinking water systems.

(b) Many of the contaminants in California's drinking water supplies are known or suspected of causing cancer, birth defects, and other serious illnesses.

(c) It is unlikely that the toxic contamination problems of small public water systems can be solved without financial assistance from the State of California.

15127. The Legislature further finds and declares that the protection of the health, safety, and welfare of the people of California requires that water supplied for domestic purposes be at all times pure, wholesome, and potable, and that it is in the interest of the people that the State of California provide technical and financial assistance to the end that the people of California are ensured a safe, dependable, and potable supply of water for domestic purposes and that water is available in adequate quantity at sufficient pressure for health, cleanliness, and other domestic purposes.

15128. The Legislature further finds and declares that it is the intent of the Legislature to provide for the upgrading of existing public water supply systems to ensure that all domestic water supplies meet safe drinking water standards established under Chapter 7 (commencing with Section 4010) of Part 1 of Division 5 of the Health and Safety Code, but that any additional capacity be financed by other sources unless excessive costs would be incurred by later expansion of the water system.

15129 The Legislature further finds and declares that regional solutions to water contamination problems are often more effective, efficient, and economical than solutions designed to address solely the problems of a single small public water system, and it is in the interest of the people of the State of California to encourage the consolidation of the management or the facilities, or both, of small water systems to enable them to better address their water contamination problems.

15130. The Legislature hereby finds and declares all of the following:

(a) The State of California is in a fourth year of drought, with three of the last four years being critically dry.

(b) If the 1990–91 water year is dry, or even normal, there will be widespread areas of water shortage which could impose severe health, economic, and environmental hardship.

15131. As used in this chapter, the following terms have the following meanings:

(a) "Applicant" means any person or entity that applies for funding under this chapter.

(b) "Cost-effective project" means a project that achieves an acceptable result at the most reasonable cost.

(c) "Drought relief project" means proposed facilities or improvements to alleviate the effects of drought, and may include all works set forth in Section 15171 as necessary to carry out the purposes of Article 3 (commencing with Section 15170).

(d) "Funding" means a loan or a grant, or both, awarded under this chapter.

(e) "Health services" means the State Department of Health Services.

(f) "Project" means proposed facilities for the construction, improvement, or rehabilitation of a public water system, and may include all items set forth in Section 15157 as necessary to carry out the purposes of this chapter.

(g) "Public agency" means any city, county, city and county, district, or joint powers authority, which owns, operates, or controls a public water system.

(h) "Public water system" or "public water supply system" means a system for the provision to the public of piped water for human consumption, as defined in Chapter 7 (commencing with Section 4010) of Part 1 of Division 5 of the Health and Safety Code, as it may be amended from time to time.

(i) "Safe drinking water standards" means those standards established pursuant to Chapter 7 (commencing with Section 4010) of Part 1 of Division 5 of the Health and Safety Code, as they may now or hereafter be amended.

(j) "Supplier" means any person, partnership, corporation, association, public agency, or other entity which owns or operates a public water system.

Article 2 California Safe Drinking Water Program

15150. There is hereby created in the Safe Drinking Water and Drought Relief Account the Safe Drinking Water Subaccount for the purpose of implementing this article.

15151 Notwithstanding Section 13340 of the Government Code, the sum of sixty million dollars ($60,000,000) is hereby transferred from the Safe Drinking Water and Drought Relief Account to the Safe Drinking Water Subaccount and is hereby continuously appropriated, without regard to fiscal years, for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Criteria to be met to be eligible for consideration for funding under this subdivision are to be established jointly by the department and health services and shall include all of the following:

(a) All preliminary design work for a defined project that will enable the applicant to supply water that meets safe drinking water standards, including a cost estimate for the project, has been completed.

(b) A legal entity is in existence that has the authority to enter into contracts and incur debt on behalf of the community to be served and owns the public water system or has the right to operate the public water system under a lease with a term of at least 20 years, unless otherwise authorized by the department. If the proposed project is funded by a loan under this article, the department may require the applicant to secure a lease for the full term of the loan if it exceeds 20 years.

(c) The applicant has applied for all necessary permits.

(d) The applicant holds all necessary water rights.

(e) The applicant has completed a preliminary review as required by the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and the guidelines adopted pursuant thereto, and has included plans for compliance with that act in its preliminary plans for the project.

(f) The applicant has assembled sufficient financial data to establish its ability to complete the proposed project and the amount of debt financing it can undertake.

(g) The applicant has made reasonable efforts to secure federal or other financial assistance for the project.

15152. Health services shall notify suppliers and public agencies that may be eligible for funding for the purposes of this article pursuant to this article and the rules and regulations adopted by the department.

15153. (a) Health services, after public notice and hearing and with the advice of the department, shall, from time to time, adopt a priority list of proposed projects to be considered for funding under this article. In doing so, health services shall determine if improvement or rehabilitation of a public water system is necessary to provide pure, wholesome, and potable water in adequate quantity at sufficient pressure for health, cleanliness, and other domestic purposes. Health services shall adopt criteria for placing public water systems on a priority list for funding based upon the health effects of the current water quality First priority shall be given to public water systems with the most critical public health problems.

(b) Consideration of an applicant's eligibility for funding shall initially be based on the priority list in effect at the time the application is received. If a new priority list is adopted during the time the application is under consideration, but before the applicant receives a letter of commitment, the department and health services may consider the applicant's eligibility for funding based on either the old or new priority list.

(c) Notwithstanding subdivision (a) or any other provision of law, the priority list adopted by health services pursuant to the California Safe Drinking Water Bond Law of 1988 (Chapter 16 (commencing with Section 14000) of Division 7) in effect on November 7, 1990, may, at the option of health services, be utilized upon voter approval of this chapter until health services adopts a new priority list

15154. Applications for funding under this article shall be made in the form and with the supporting material prescribed by the department and health services.

15155. The department and health services shall determine, based on applications received, whether a particular applicant meets the criteria to be eligible for consideration for project design and construction funding.

If the applicant does not meet the criteria, it may be considered for planning and preliminary engineering study funding. Applicants successfully completing a study are eligible for consideration for project design and construction funding after their study is completed and they have met the criteria to be eligible for consideration for project design and construction funding.

15156. (a) No application for funding of project design and construction or planning and preliminary engineering studies shall be approved by the department, and no loans or grants for those purposes shall be made by the department, unless and until health services certifies, in writing, that the proposed study or project is necessary to enable the applicant to meet safe drinking water standards, and is reviewed for consistency with an adopted countywide consolidation plan, if any. Health services may refuse to certify a study or project if it determines that the purposes of this article may more economically and efficiently be met by means other than the proposed study or project The department, upon the recommendation of health services, may make reasonable allowance for future

water supply needs and may provide for additional capacity when excessive costs would be incurred by later enlargement. Health services may limit funding to costs necessary to enable suppliers to meet primary drinking water standards, as defined in Chapter 7 (commencing with Section 4010) of Part 1 of Division 5 of the Health and Safety Code.

(b) With respect to applications for funding of project design and construction, health services shall also certify, in writing, all of the following:

(1) Upon completion of the project, the applicant will be able to supply water that meets safe drinking water standards.

(2) The project is cost-effective.

(3) If the entire project is not to be funded under this chapter, health services shall specify which costs are eligible for funding.

15157. Project design and construction costs eligible for funding under this article shall be established by the department with the advice of health services and may include any of the following:

(a) Reasonable costs for the construction, improvement, or rehabilitation of facilities of the public water system, which may include water supply, treatment works, and all or part of a water distribution system, if necessary to carry out the purposes of this chapter.

(b) Reasonable costs associated with the consolidation of water systems, including, but not limited to, reasonable facility fees, connection fees, or similar charges.

(c) Reasonable costs of purchasing water systems, water rights, or watershed lands

(d) Operation and maintenance costs only to the extent they are used in the start up and testing of the completed project. All other operation and maintenance costs shall be the responsibility of the supplier and may not be considered as part of the project costs.

(e) Reasonable costs of establishing eligibility for funding under this article that were incurred before the department entered into a commitment to fund the project under this article.

15158. Upon receipt of an application for funding pursuant to this article, the department shall propose to the applicant improvements to the applicant's water development distribution and utilization system which will conserve water in a cost-effective manner. These improvements may include, but need not be limited to, leak detection and repair programs, valve repair and replacement, meter calibration and replacement, physical improvements to achieve corrosion control, distribution and installation of water conservation devices and fixtures, and other capital improvements which can be demonstrated to conserve water in a cost-effective manner. The department, health services, and the applicant may agree to include these capital improvements in the grant or loan. Failure by the applicant to include water conservation capital improvements in the application shall not be sufficient cause for the department to deny funding.

15159. (a) Project design and construction costs and planning and preliminary engineering studies may be funded under this article by loans or, in the case of public agencies, by grants, or by any combination thereof.

(b) A single application for funding shall be filed.

(c) The department shall determine what portion of the full costs the public agency is capable of repaying and authorize funding in the form of a loan for

that amount. The department shall authorize a grant only to the extent that the department finds that the public agency is unable to repay the full costs of a loan.

(d) At the request of the department, the Public Utilities Commission shall submit comments concerning the ability of suppliers subject to its jurisdiction to finance the project from other sources and to repay the loan.

15160. Not more than 35 percent of the proceeds of the bonds authorized to be issued for purposes of this article shall be used for grants. This amount shall include grants for all purposes authorized by this article. A grant may be made by the department only upon the specific approval of the Legislature.

15161. Loans for project design and construction shall be repaid over a term not longer than the useful life of the project constructed or 35 years, whichever is shorter.

15162. (a) The maximum amount of a grant permitted under this article for the design and construction of a single project is four hundred thousand dollars ($400,000), except that the maximum amount is six hundred thousand dollars ($600,000) for a grant for construction of a new water system to a public agency which has a population of less than 3,500 and is outside of any urbanized area designated by the United States Bureau of the Census from the 1980 federal census. The maximum amount of a loan permitted under this article for the design and construction of a single project is five million dollars ($5,000,000).

(b) A single entity may apply for funding for more than one design and construction project if each proposed project concerns a separate identifiable public water system. In such a case, the maximum amount of grant permitted is three hundred thousand dollars ($300,000) for each water system, up to a maximum of one million five hundred thousand dollars ($1,500,000) for each entity. The maximum amount of loan permitted is five million dollars ($5,000,000) for each water system, up to a maximum of ten million dollars ($10,000,000) for each entity.

(c) If a project includes the consolidation of two or more separate public water systems, the maximum amount of a grant permitted under this article is three hundred thousand dollars ($300,000) for each water system, not to exceed one million five hundred thousand dollars ($1,500,000) for each consolidated project. The maximum amount of a loan permitted for a single project that includes the consolidation of two or more separate public water systems is five million dollars ($5,000,000) for each water system, not to exceed ten million dollars ($10,000,000) for each consolidated project.

(d) Total funding under this article of project design and construction costs, whether in the form of a loan or a grant, or both, may not exceed five thousand dollars ($5,000) per service connection unless otherwise authorized by the Legislature. This subdivision does not preclude funding projects that exceed the five thousand dollars ($5,000) per service connection limit if funding for costs that exceed that amount can be obtained from other sources.

15163. An applicant who has executed a contract for funding under this article may not apply for funding for an additional study or project pursuant to this article in connection with the same public water system unless the additional study or project is necessitated by safe drinking water standard violations that came into existence after the initial contract was entered into or resulted from a change in safe drinking water standards occurring after the initial contract was entered into.

Article 3 Drought Relief Program

15170. Notwithstanding Section 13340 of the Government Code, the sum of twenty million dollars ($20,000,000) is hereby transferred from the California Safe Drinking Water and Drought Relief Account to the Drought Relief Subaccount, which is hereby created in the account, and is hereby continuously appropriated, without regard to fiscal years, for the design and construction of drought relief projects. The department shall adopt criteria it will use in evaluating projects. The criteria shall include all of the following:

(a) The applicant owns or operates a public water system which, because of persistent drought, is temporarily unable to supply adequate amounts of water for municipal, commercial, or industrial purposes.

(b) The applicant is a legal entity authorized to enter into contracts and incur debt on behalf of the community to be served and owns the public water system or has the right to operate the public water system under a lease with a term of at least 20 years.

(c) The applicant proposes one or more drought relief projects, the primary purpose of which is to provide an additional water supply, or to conserve the use of the existing water supply, for municipal, commercial, or industrial purposes in a timely manner sufficient to help alleviate the effects of the drought episode occurring at the time the application is made. Drought relief projects funded pursuant to this article shall not include works or facilities, the primary purpose of which is to increase the applicant's water supply to serve future community growth or agricultural users.

(d) The technical feasibility of the project.

(e) The applicant has implemented a water conservation program which is satisfactory to the department

(f) The applicant has completed a preliminary review as required by the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and the guidelines adopted pursuant to that act, and has included plans for compliance with that act in its proposal.

(g) The severity of the drought in the area served by the applicant, based on factors including the amount of rainfall, the adequacy of reservoir storage, and the availability of groundwater

(h) Priority shall be given to projects necessary for public health and safety reasons.

15171. Drought relief project design and construction costs eligible for funding under this article shall be established by the department and may include any of the following:

(a) Reasonable costs for the design, construction, improvement, or rehabilitation of facilities of the public water system, which may include, but are not limited to, the acquisition of water rights, drilling or improving wells, conveyance facilities, treatment facilities, facilities to convey reclaimed water, improvements to increase the efficiency of water distribution systems, or the acquisition and distribution of domestic water conservation equipment, as necessary to carry out the purposes of this article.

(b) Operation and maintenance costs only to the extent that they are used in the startup and testing of the completed project. All other operation and maintenance costs shall be the responsibility of the supplier and may not be considered as part of the project costs

(c) Reasonable costs of establishing eligibility for funding under this article that were incurred before the department entered into a commitment to fund the drought relief project.

15172. The department shall award loans for projects after evaluating applications based on criteria adopted pursuant to Section 15170. For drought relief projects which the department determines should be funded, the department shall determine what portion of the full cost the applicant is capable of repaying and may authorize funding of that amount in the form of a loan. Loans shall be repaid over a term not longer than 20 years.

Article 4. Administrative Provisions

15180. (a) The sum of eighty million dollars ($80,000,000) is hereby transferred from the fund to the California Safe Drinking Water and Drought Relief Account, which is hereby created in the fund.

(b) From time to time, the department may establish other subaccounts in the account which the department determines are appropriate or necessary for proper administration consistent with the purposes of this chapter.

15181 (a) The department may adopt emergency regulations to implement Article 3 of this chapter.

(b) The emergency regulations adopted pursuant to subdivision (a) shall be adopted by the department in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The adoption of these regulations is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health, safety, and general welfare.

Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the emergency regulations adopted by the department shall not be subject to review by the Office of Administrative Law and shall remain in effect until revised by the department.

15182 (a) The department may enter into contracts with applicants for grants or loans for the purposes set forth in this chapter Any contract entered into pursuant to this section shall include only terms and conditions consistent with this chapter and the rules and regulations adopted under this chapter.

(b) The contract shall include all of the following terms and conditions that are applicable.

(1) An estimate of the reasonable cost of the project or study.

(2) An agreement by the department to loan or grant, or loan and grant, the applicant an amount which equals the portion of the costs found by the department to be eligible for a state loan or grant. The agreement may provide for disbursement of funds during the progress of the study or construction, or following completion of the study or construction, as agreed by the parties.

(3) An agreement by the applicant to proceed expeditiously with the project or study.

(4) An agreement by the applicant to commence operation of the project upon completion thereof, and to properly operate and maintain the project in accordance with the applicable provisions of law.

(5) In the case of a loan made pursuant to Article 2 (commencing with Section 15150), an agreement by the applicant to repay the state, over a period not to exceed the useful life of the project or 35 years, whichever is shorter, or, in the case of a study, over a period not to exceed five years, or, in the case of a loan made pursuant to Article 3 (commencing with Section 15170), over a period not to exceed 20 years, all of the following.

(A) The amount of the loan.

(B) The administrative fee specified in subdivision (a) of Section 15185.

(C) Interest on the principal, which is the amount of the loan plus the administrative fee.

(6) In the case of a project grant, an agreement by the supplier to operate and maintain the water system for a period of 20 years, unless otherwise authorized by the department.

(c) The contract may include any of the following terms and conditions:

(1) An agreement by the supplier to adopt a fee structure which provides for the proper maintenance and operation of the project and includes a sinking fund for repair and replacement of the facilities in cases where appropriate. The fee structure shall also provide for the repayment of the amount of the loan and of administrative fees, and for the payment of interest.

(2) If the entire project or study is not being funded pursuant to this chapter, the department may include a provision requiring the applicant to share the cost of the project or obtain funding from other sources.

(d) The department may require applicants to provide security for loan contracts.

15183. All funding received under this chapter shall be expended by the applicant within three years of the execution of the contract with the department. The three-year period may be extended with the approval of the department until five years after the date the original contract, not including amendments, was executed.

15184. (a) The department shall annually establish the interest rate for loans made pursuant to this chapter at 50 percent of the average interest rate, computed by the true interest cost method, paid by the state on general obligation bonds issued in the prior calendar year. All loans made pursuant to this chapter shall carry the interest rate established for the calendar year in which the funds are committed to the loan, as of the date of the letter of commitment. The interest rate set for each loan shall be applied throughout the repayment period of the loan. Interest on the loan shall not be deferred.

(b) The department shall require the payment of interest on each loan issued under the California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7), as required under Section 13867 at a rate equal to 50 percent of the average interest rate, computed by the true interest cost method, paid by the state on general obligation bonds sold pursuant to that chapter up to November 7, 1990. The interest rate established in this section shall be applied retroactively for the full term of all loans issued under the Safe Drinking Water Bond Law of 1976 from the date of issuance

15185. (a) For purposes of administering this chapter, the total expenditures of the department and health services may not exceed 5 percent of the total amount of the bonds authorized to be issued for purposes of this chapter. The department shall establish a reasonable schedule of administrative fees for loans, which shall be paid by the applicant to reimburse the state for the costs of the state administration of this chapter.

(b) Charges incurred by the Attorney General in protecting the state's interests in the use and repayment of grant and loan funds under this chapter shall be paid from the proceeds of bonds issued for the purposes of this chapter. These charges shall not be paid from funds allocated for administrative purposes, but shall be treated as a program expense not to exceed one-half of 1 percent of the total amount of the bonds authorized to be sold under this chapter.

15186. As approved annually by the Legislature in the Budget Act, the department may expend money repaid to the state pursuant to any contract executed under subdivision (a) of Section 15182 as necessary for the administration of contracts entered into by the department under this chapter, but those expenditures may not in any year exceed 1.5 percent of the amount of principal and interest projected to be paid to the state in that year pursuant to this chapter.

Charges incurred by the Attorney General in protecting the state's interest in the use of funds and repayment of funds under this chapter may be paid by the department from these funds, but those charges may not exceed one-half of 1 percent of the amount of principal and interest projected to be paid to the state in that year pursuant to this chapter.

Any of these sums approved by the Legislature, but unexpended by the department at the end of any year, shall automatically revert to the General Fund

15187. Except as provided in Section 15186, all money repaid to the state pursuant to any contract executed under subdivision (a) of Section 15182 shall be deposited in the General Fund and, when so deposited, shall be applied as a reimbursement to the General Fund on account of principal and interest on bonds issued pursuant to this chapter which has been paid from the General Fund.

15188 Notwithstanding any other provision of law, the proceeds of any bonds authorized to be issued under the California Safe Drinking Water Bond Law of 1976 (Chapter 10 5 (commencing with Section 13850) of Division 7), the California Safe Drinking Water Bond Law of 1984 (Chapter 10.2 (commencing with Section 13810) of Division 7), the California Safe Drinking Water Bond Law of 1986 (Chapter 10 7 (commencing with Section 13895) of Division 7), and the California Safe Drinking Water Bond Law of 1988 (Chapter 16 (commencing with Section 14000) of Division 7) which are unobligated on November 7, 1990, shall be used for loans and grants to applicants in accordance with the terms, conditions, and purposes of Article 2 (commencing with Section 15150).

15189. The unobligated amount in the Drought Relief Subaccount shall be transferred to the Safe Drinking Water Subaccount on January 1, 1996, for the purpose of implementing Article 2 (commencing with Section 15150)

15190 (a) The department, after public notice and hearing, and with the concurrence of health services, shall adopt rules and regulations necessary to carry out the purposes of Article 2 of this chapter and that will, in its judgment, effectively carry out this chapter in the public interest, to the end that the people of California are efficiently and economically provided supplies of pure, wholesome, and potable domestic water and afforded relief from the effects of the drought.

(b) Notwithstanding subdivision (a) or any other provision of law, existing rules and regulations not inconsistent with this chapter in effect on November 7, 1990, may, at the option of the department, be utilized upon voter approval of this division for purposes of implementing this chapter.

15191. The department shall prepare an annual report on all grant commitments made or grant contracts entered into pursuant to this chapter. The report shall be filed with the Legislature if it is in session or, if it is not in session, with the Joint Rules Committee. The report shall be filed on or before January 31 of each year for grant commitments made or grant contracts entered into by the department during the previous calendar year

15192. The Legislature may amend this chapter by either of the following methods:

(a) By statute, passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with the purposes of this chapter.

(b) By a statute that becomes effective only when approved by the voters.

CHAPTER 5. WATER QUALITY AND WATER CONSERVATION

Article 1. General Provisions

15200. This chapter shall be known and may be cited as the Water Quality and Water Conservation Act.

15201. The Legislature finds and declares as follows:

(a) It is of paramount importance that the limited water resources of the state be protected from pollution, conserved, and reclaimed whenever possible to ensure continued economic, community, and social growth.

(b) Because water knows no political boundaries, it is desirable for the state to contribute to the construction of needed facilities in order to meet its obligations to protect and promote the health, safety, and welfare of its people and the environment.

(c) The people of California have a primary interest in the development of facilities to reclaim waste water to supplement existing water supplies and to assist in meeting the future water needs of the state. A significant portion of the future water needs of California may be met by the use of reclaimed water.

(d) Local public agencies have the primary responsibility for the construction, operation, and maintenance of water reclamation facilities.

(e) Local public agencies need financial assistance to make cost-effective reclamation projects financially feasible.

(f) It is the intent of this chapter to provide funds for the design and construction of eligible water reclamation projects and for the development and implementation of programs and activities that lead to increased use of reclaimed water in California

15202. The Legislature further finds and declares all of the following:

(a) Sewage and toxic pollution originating across the international border has created an intolerable threat to the health and safety, and to the aesthetic, social, and economic well-being, of the people of California. San Diego and Imperial Counties, constituting a major region of this state, have immediate health and safety problems directly associated with sewer effluents, and unrestricted flows of polluted and toxic waters, originating across the international border.

(b) Despite more than 50 years of good faith effort by California and the federal government, the problem continues to grow with ever-worsening consequences for the region.

(c) This problem is certain to intensify as both the Cities of Tijuana and Mexicali are expanding rapidly and Mexico's population continues to rise

(d) The solution to these problems is certain to be expensive in both capital costs and long-term operational and maintenance costs. An agreement between the federal government, Mexican officials, and state representatives on a partial solution of these problems is near completion. The state's financial commitment to this agreement will be joined with financial backing from the federal government and Mexico.

15203 The Legislature further finds and declares as follows:

(a) Clean water is essential to the public health, safety, and welfare.

(b) Clean water fosters the beauty of California's environment and the expansion of industry and agriculture, maintains fish and wildlife, and supports recreation.

(c) California's abundant lakes and ponds, streams and rivers, coastline, and groundwater are threatened with pollution, which could threaten public health and impede economic and social growth if left unchecked.

(d) The state's growing population has increasing needs for clean water supplies and adequate treatment facilities.

(e) It is of paramount importance that the limited water resources of the state be protected from pollution to ensure continued economic, community, and social growth.

(f) The chief cause of water pollution is the discharge of inadequately treated waste into the waters of the state.

(g) Local public agencies have the primary responsibility for the construction, operation, and maintenance of facilities to cleanse our waters.

(h) Rising costs of construction and technological changes have pushed the cost of constructing treatment facilities beyond the reach of many small communities

(i) Because water knows no political boundaries, it is desirable for the state to contribute to construction of needed facilities in order to meet its obligations to protect and promote the health, safety, and welfare of its people and environment

(j) It is the intent of this chapter to provide special assistance to small communities to construct facilities necessary to eliminate water pollution and public health hazards.

15204. As used in this chapter, the following words have the following meanings:

(a) "Construction" has the same meaning as in the federal act.

(b) "Eligible project" means a project for a small community for the construction of treatment works which is all of the following:

(1) Necessary to prevent pollution or a public health hazard.

(2) Eligible for federal assistance pursuant to Title VI of the federal act.

(3) Certified by the board as entitled to priority over other treatment works, and complies with applicable water quality standards, policies, and plans.

(c) "Eligible reclamation project" means a water reclamation project which is cost-effective when compared to the development of other new sources of water. These projects shall comply with applicable water quality standards, policies, and plans.

(d) "Federal assistance" means funds available to a local agency pursuant to the federal act.

(e) "Federal act" means the federal Water Pollution Control Act (33 U.S.C Sec. 1251 et seq.) and any acts amendatory thereof or supplementary thereto.

(f) "Local public agency" means any city, county, district, joint powers authority, or any other local public body or political subdivision of the state created by or pursuant to state law and involved with water or waste water management

(g) "Groundwater recharge facilities" means land and facilities for artificial groundwater recharge through methods which include, but are not limited to, either percolation using basins, pits, ditches, furrows, modified streambeds, flooding, and well injection or in-lieu recharge.

"Groundwater recharge facilities" also means capital outlay expenditures to expand, renovate, or restructure land and facilities already in use for groundwater recharge. Groundwater recharge facilities may include either of the following:

(1) Instream facilities for the regulation of water levels, but not the regulation of streamflow by storage to accomplish diversion from waterways.

(2) Conveyance facilities to the recharge site, including devices for flow regulation and measurement of recharge waters.

Any portion or all of the project facilities, including land under the facilities, may consist of separable features, or an appropriate share of multipurpose features of a larger system, or both.

(h) "Groundwater treatment facilities" includes any devices or systems used to treat groundwater to provide a potable or usable source of water or devices or systems used to remedy groundwater pollution problems caused by nonpoint sources, including, but not limited to, well head treatment.

(i) "In-lieu recharge" means accomplishing increased storage of groundwater by providing surface water to a user who relies on groundwater as a primary supply, in order to accomplish groundwater storage through the direct use of that surface water in lieu of pumping groundwater.

(j) "Municipality" has the same meaning as in the federal act and also includes the state or any agency, department, or political subdivision thereof

(k) "Small community" means a municipality with a population of 5,000 persons or less, or a reasonably isolated and divisible segment of a larger municipality encompassing 5,000 persons or less, with a financial hardship as defined by the board.

(l) "State grant" means a grant given to a qualifying small community eligible for federal assistance under Title VI of the federal act.

(m) "State Water Pollution Control Revolving Fund" means the fund created by Section 13477.

(n) "Treatment works" has the same meaning as in the federal act

(o) "Voluntary cost-effective capital outlay water conservation programs" means those feasible capital outlay measures to improve the efficiency of water use through benefits which exceed their costs.

The programs include, but are not limited to, lining or piping of ditches; improvements in water distribution system controls, such as automated canal control, construction of small reservoirs within distribution systems which conserve water that already has been captured for reuse, and related physical improvements; tailwater pumpback recovery systems to reduce leakage, and capital changes in on-farm irrigation systems which improve irrigation efficiency, such as sprinkler or subsurface drip systems.

Article 2. Water Quality and Water Conservation Program

15210. (a) The Water Quality and Water Conservation Account is hereby created in the fund. The sum of one hundred eighty-five million dollars ($185,000,000) is hereby transferred from the fund to the account. There is hereby created in the account a Water Reclamation Subaccount for the purpose of implementing Section 15211, a Border Area Water Pollution Control Subaccount for the purpose of implementing Section 15212, a Clean Water Subaccount for the purpose of implementing Section 15213, a Groundwater Treatment Subaccount for the purpose of implementing Section 15214, and a Water Conservation and a Groundwater Recharge Subaccount for the purpose of implementing Section 15215.

(b) From time to time, the board or the department may establish other subaccounts in the account which the board or the department determines are appropriate or necessary for proper administration.

15211. (a) The sum of ninety-five million dollars ($95,000,000) is hereby transferred from the account to the Water Reclamation Subaccount and, notwithstanding Section 13340 of the Government Code, is hereby continuously appropriated, without regard to fiscal years, to the board for loans to local public agencies authorized to construct, operate, and maintain water reclamation projects, to aid in the design and construction of eligible water reclamation projects.

(b) Any loan contract for an eligible water reclamation project entered into pursuant to this section may include provisions as determined by the board and shall include both of the following provisions:

(1) An estimate of the reasonable cost of the eligible water reclamation project.

(2) An agreement by the local public agency to proceed expeditiously with, and complete, the eligible water reclamation project, commence operation of the project in accordance with applicable provisions of law, and provide for the payment of the local public agency's share of the cost of the project, including principal and interest on any state loan made pursuant to this section.

(c) (1) Loan contracts may not provide for a moratorium on payments of principal or interest.

(2) Any loans made from the Water Reclamation Subaccount may be for a period of up to 20 years.

(3) The board may make loans up to 100 percent of the total eligible cost of the design and construction of an eligible reclamation project.

(d) (1) The interest rate for the loan shall equal 50 percent of the interest rate paid by the state on the most recent sale of state general obligation bonds, with that rate to be computed according to the true interest cost method.

(2) If the interest rate so determined is not a multiple of one-tenth of 1 percent, the interest rate shall be set at the next higher multiple of one-tenth of 1 percent.

(3) All loans made pursuant to this section shall carry the interest rate established pursuant to this section as of the date of the letter of commitment for the loan. The interest rate set for each loan shall be applied throughout the repayment period of the loan.

(e) As approved by the Legislature annually in the Budget Act, the board may expend for the administration of this section not more than 5 percent of the amount of the bond funds authorized to be deposited in the Water Reclamation Subaccount.

(f) As approved by the Legislature annually in the Budget Act, the board may, by contract or otherwise, undertake plans, surveys, research, development, and studies necessary, convenient, or desirable to carry out the purposes of this section, and may prepare recommendations with regard thereto, including the preparation of comprehensive statewide or areawide studies and reports on water reclamation and the collection, treatment, and disposal of waste under a comprehensive cooperative plan.

(g) The board may adopt rules, regulations, and guidelines necessary or appropriate to carry out this section.

(h) All principal and interest payments from loans shall be deposited in the Water Reclamation Subaccount for new loans.

15212. (a) The sum of thirty million dollars ($30,000,000) is hereby transferred from the account to the Border Area Water Pollution Control Subaccount.

(b) The money in the Border Area Water Pollution Control Subaccount shall be available, upon appropriation by the Legislature in the Budget Act, for activities necessary to correct conditions of pollution resulting from wastewater and toxic flows across the international border. Funds may be expended for all necessary costs incurred to implement a solution to the problem, including research; preparation of plans, surveys, studies, and designs; startup costs; and construction of facilities necessary to mitigate, reduce, or reverse the effects of pollution and contamination on the international border. The money in the subaccount may also be expended, upon appropriation by the Legislature in the Budget Act, for demonstration projects involving alternative waste water management and reclamation systems.

(c) It is the intent of the Legislature that, to the extent possible, the bond funds in the Border Area Water Pollution Control Subaccount be expended in accordance with the following formula:

(1) Fifty percent for projects related to the New River/Alamo River and Salton Sea.

(2) Fifty percent for projects related to the Tijuana River sewage pollution.

(d) Bond funds may also be appropriated by the Legislature to administer this section, except that not more than 5 percent of the bond funds authorized to be deposited in the subaccount shall be used for those administrative purposes

15213. (a) The sum of twenty million dollars ($20,000,000) is hereby transferred from the account to the Clean Water Subaccount and, notwithstanding Section 13340 of the Government Code, is hereby continuously appropriated, without regard to fiscal years, for state grants to small communities for construction of treatment works eligible for assistance under Title VI of the federal act.

(b) The board may enter into grant contracts in accordance with this section with small communities authorized to construct, operate, and maintain treatment works to aid in the construction of eligible projects.

(c) The board may make grants to small communities in an amount on a sliding scale, based on a community's ability to pay, not to exceed 97½ percent of the total estimated cost of pollution studies, project development, planning, design, and construction determined in accordance with applicable state laws and regulations. Total state assistance under this section shall not exceed three million five hundred thousand dollars ($3,500,000) for any single eligible project.

(d) Any grant contract entered into pursuant to this section may include provisions as may be determined by the board and shall include both of the following provisions:

(1) An estimate of the reasonable cost of the eligible project.

(2) An agreement by the small community to proceed expeditiously with, and complete, the proposed eligible project, to commence operation of the treatment works upon completion, and to properly operate and maintain the works in accordance with applicable provisions of law.

(e) Small communities eligible for a state grant may also apply for a loan from the State Water Pollution Control Revolving Fund for costs not covered by the grant.

(f) For the administration of this section, the board shall not expend more than 5 percent of the bond funds authorized to be deposited in the Clean Water Subaccount. Funds for this purpose shall be appropriated by the Legislature in the Budget Act.

(g) The board may adopt rules, regulations, and guidelines necessary or appropriate to carry out this section.

15214. (a) The sum of twenty million dollars ($20,000,000) is hereby transferred from the account to the Groundwater Treatment Subaccount and, notwithstanding Section 13340 of the Government Code, is hereby continuously appropriated, without regard to fiscal years, for expenditure for loans to agencies to aid in the construction of groundwater treatment facilities and for the other purposes set forth in this section

The board may loan an agency up to 100 percent of the total eligible costs of design and construction of a project.

Loans may not be made sooner than 30 days after notification, in writing, of the necessity therefor to the chairperson of the committee in each house which considers appropriations, to the policy committee of the Assembly as designated by the Speaker of the Assembly and the policy committee of the Senate as designated by the Senate Committee on Rules, and to the Chairperson of the Joint Legislative Budget Committee.

(b) The board may enter into contracts and may adopt rules and regulations necessary to carry out the purposes of this section.

(c) For the purpose of administering this section, the board may expend not more than 5 percent of the bond funds authorized to be deposited in the Groundwater Treatment Subaccount.

(d) The board may expend, up to 1 percent of the bond funds authorized for the purpose of this section, for studies, research, public information, plans, or surveys necessary to carry out the purposes of this section.

(e) Any contract for a loan entered into pursuant to this section shall include, but not be limited to, all of the following provisions:

(1) An estimate of the reasonable cost of the project.

(2) An agreement by the agency to proceed expeditiously with, and complete, the project; to commence operation of the project upon completion and to properly operate and maintain the project in accordance with applicable provisions of law; to provide for the payment of the agency's share of the cost of the project, including the principal of, and the interest on, any state loan made pursuant to this section; and, if appropriate, to apply for, and make reasonable efforts to secure, federal assistance for the project.

(f) All loans made pursuant to this section are subject to all of the following provisions:

(1) An agency seeking a loan shall demonstrate, to the satisfaction of the board, that an adequate opportunity for public participation regarding the loan has been provided.

(2) Any election held with respect to the loan shall include the entire area of the agency, except that, if the agency proposes to accept the loan on behalf of a specified area of the agency, the election shall be held only in that area of the agency.

(3) Loan contracts may not provide a moratorium on the payment of principal or interest.

(4) Loans shall be for a period of up to 20 years. The interest rate for the loans shall be set at a rate equal to 50 percent of the interest rate paid by the state on the most recent sale of general obligation bonds, with that rate to be computed according to the true interest cost method. If the interest rate determined is not a multiple of one-tenth of 1 percent, the interest rate shall be set at the next higher multiple of one-tenth of 1 percent The interest rate set for each contract shall be

applied throughout the contract's repayment period. There shall be a level annual repayment of principal and interest on the loans.

(5) The board, in considering projects, shall give preference to projects which treat groundwater that has been contaminated or polluted by agricultural drainage waters.

(6) The board shall not loan more than ten million dollars ($10,000,000) for a single project.

(g) The board may make loans to agencies, at the interest rates authorized under this section and under terms and conditions that may be determined necessary by the board, for the purposes of financing feasibility studies of projects potentially eligible for funding under this section. No single potential project shall be eligible to receive more than one hundred thousand dollars ($100,000), and not more than 3 percent of the bond funds authorized for purposes of this section may be expended for these studies. A loan for a feasibility study shall not decrease the maximum amount of any other loan which may be made under this section.

15215. (a) The sum of twenty million dollars ($20,000,000) is hereby transferred from the account to the Water Conservation and Groundwater Recharge Subaccount and shall be available for appropriation by the Legislature for loans to agencies to aid in the acquisition and construction of voluntary, cost-effective capital outlay water conservation programs and groundwater recharge facilities

(b) The department shall not loan more than five million dollars ($5,000,000) for a single project.

(c) The department shall establish priorities for loans for voluntary, cost-effective capital outlay water conservation programs on the basis of their economic, social, and environmental impacts. In establishing priorities, particular emphasis shall be given to net water savings, engineering feasibility, and to meeting financial and economic needs.

(d) The department shall establish priorities for loans for groundwater recharge facilities for projects in overdrafted groundwater basins on the basis of economic, social, and environmental impacts. In establishing priorities, particular emphasis shall be given to reducing groundwater overdraft, engineering and hydrogeologic feasibility, and to meeting financial and economic needs.

(e) The department may make loans to agencies, at the interest rates pursuant to this section and under terms and conditions that may be determined necessary by the department, for the purposes of financing feasibility studies of projects potentially eligible for funding pursuant to this section. No single potential project shall be eligible to receive more than one hundred thousand dollars ($100,000), and not more than 6 percent of the total amount of bonds authorized to be expended for the purposes of this section may be expended for these studies.

(f) For the purpose of administering this section, the total expenditures of the department may not exceed 5 percent of the bond funds authorized to be deposited in the Water Conservation and Groundwater Recharge Subaccount. The department shall establish a reasonable schedule of administrative fees for loans, which fees shall be paid by the agency pursuant to subdivision (g) to reimburse the state for the costs of administering this section

(g) Any contract entered into pursuant to this section shall include, but not be limited to, all of the following provisions:

(1) A finding by the department that the agency has the ability to repay the loan, that the project is economically justified, and that the project is feasible from an engineering and geologic standpoint.

(2) An estimate of the reasonable cost and benefit of the project.

(3) An agreement by the agency to proceed expeditiously with, and complete, the project.

(4) A provision that there shall be no moratorium or deferment on payments of principal or interest.

(5) An agency seeking a loan shall demonstrate, to the satisfaction of the department, that an adequate opportunity for public participation regarding the loan has been provided.

(6) Any election held with respect to the loan shall be held in the entire area of the agency, except that, if the agency proposes to accept the loan on behalf of a specified area of the agency, the election shall be held only in that area of the agency.

(7) Annual principal and interest payments shall commence not later than one year after completion of the project, and all projects shall be fully amortized not later than 20 years after completion of the project.

(8) The agency shall establish a dedicated source of revenue for repayment of the loan.

(9) Any loans made pursuant to this section may be for a period of up to 20 years, or the useful life of the project, whichever is less. The interest rate for loans made for projects to be funded under this section shall be set at a rate equal to 50 percent of the average interest rate, computed by the true interest cost method, on state general obligation bond issues of the prior calendar year. If the interest rate so determined is not a multiple of one-tenth of 1 percent, the interest rate shall be set at the next higher multiple of one-tenth of 1 percent. All loans made pursuant to this section shall carry the interest rate established for the calendar year in which the funds are committed to the loan, as of the date of the letter of commitment. The interest rate set for each contract applies throughout the repayment period of the contract. There shall be a level annual repayment of principal and interest on the loans The amount of the principal shall include the administrative fee specified in subdivision (f). Interest on the loan shall not be deferred.

(h) All loans made pursuant to this section requires the approval of the Legislature by statute.

(i) Applications for loans or financial participation by the state under this section shall be submitted to the department in the form, and with the supporting material, as prescribed by the department.

(j) As appropriated annually by the Legislature in the Budget Act, the department, notwithstanding subdivision (f), may expend money repaid to the state, pursuant to any contract executed pursuant to this section, as necessary for the administration of contracts entered into by the department pursuant to this section. However, the expenditures may not, in any year, exceed 1.5 percent of the amount repaid to the state in that year. Charges incurred by the Attorney General in protecting the state's interests in the use and repayment of funds pursuant to this section may be paid by the department from funds repaid to the state. However, these charges may not exceed 0.5 percent of the amount repaid to the state in that year. Any of the above amounts appropriated by the Legislature in the Budget Act, but unencumbered at the end of any year, shall automatically revert to the General Fund.

(k) Notwithstanding any other provision of law, the proceeds of any bonds authorized to be issued under the Water Conservation and Water Quality Bond Law of 1986 (Chapter 6.1 (commencing with Section 13450) of Division 7) for

deposit in the Water Conservation and Groundwater Recharge Account in the 1986 Water Conservation and Water Quality Bond Fund, and the proceeds of any bonds authorized to be issued under the Water Conservation Bond Law of 1988 (Chapter 4.7 (commencing with Section 12879) of Part 6 of Division 6) for deposit in the Water Conservation and Groundwater Recharge Account established in the 1988 Water Conservation Fund, which are unobligated on November 6, 1990, shall be available for loans to applicants in accordance with the terms and conditions set forth in this section.

(l) The department may adopt rules and regulations necessary to carry out the purposes of this section. Existing rules and regulations adopted by the department pursuant to Chapter 4.7 (commencing with Section 12879) of Part 6 of Division 6 and Chapter 6.1 (commencing with Section 13450) of Division 7, not inconsistent with this section in effect on November 6, 1990, may be utilized by the department for purposes of implementing this section.

15216. Charges incurred by the Attorney General, in protecting the interests of the state in the use and repayment of funds under this chapter, shall be paid from the proceeds of bonds authorized to be issued for purposes of this chapter. These charges shall not be paid from funds allocated for administrative purposes, but shall be treated as a program expenses, not to exceed 1.5 percent of the bond funds authorized to be deposited in the Water Quality and Water Conservation Account.

15217. Money deposited in the Water Quality and Water Conservation Account pursuant to any provision of law requiring repayments to the state for assistance financed by the proceeds of the bonds authorized by this division of purposes of this chapter shall be available for transfer to the General Fund as a reimbursement for payment of bond principal and interest.

15218. The Legislature may amend this chapter by either of the following methods:

(a) By statute, passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, if the statute is consistent with the purposes of this chapter.

(b) By a statute that becomes effective only when approved by the voters.

CHAPTER 6. FISCAL PROVISIONS

15250. The proceeds of bonds issued and sold pursuant to this division shall be deposited in the State Treasury to the credit of the Water Resources Bond Fund, which is hereby created.

15251. Bonds in the total amount of three hundred eighty million dollars ($380,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this division and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

15252. The bonds authorized by this division shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this division and are hereby incorporated in this division as though set forth in full in this division.

15253. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this division, the Water Resources Finance Committee is hereby created. For purposes of this division, the Water Resources Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Governor, the Treasurer, the Controller, the Director of Finance, the Director of Water Resources, the Executive Director of the State Water Resources Control Board, and the State Director of Health Services, or their designated representatives. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law:

(1) The Department of Water Resources is designated the "board" for purposes of Chapter 2 (commencing with Section 15050), Chapter 3 (commencing with Section 15100), and Chapter 4 (commencing with Section 15125).

(2) The State Water Resources Control Board is designated the "board" for purposes of Chapter 5 (commencing with Section 15200).

15254. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this division in order to carry out the actions specified in Sections 15061, 15065, 15067, 15102, 15151, 15170, 15211, 15212, 15213, 15214, and 15215 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time

15255. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

15256. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this division, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this division, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 15257, appropriated without regard to fiscal years.

15257. For the purposes of carrying out this division, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this division. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from money received from the sale of bonds for the purpose of carrying out this division.

15258. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

15259. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account in accordance with Section

16312 of the Government Code for the purposes of carrying out the chapter for which it is designated as the board pursuant to subdivision (b) of Section 15253. The amount of the request shall not exceed the amount of the unsold bonds which the committee has, by resolution, authorized to be sold for the purpose of carrying out that division.

The board shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this division.

15260. Notwithstanding any other provision of this division or the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this division that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions, the Treasurer may maintain separate accounts for the investment of bond proceeds and the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law, or take any other action with respect to the investment and the use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

15261. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of the State General Obligation Bond Law. Approval by the voters of the state for the issuance of the bonds shall include the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

15262. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this division are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

SEC. 2. Section 12879.4 of the Water Code is amended to read:

12879.4. (a) The department may make loans to local agencies, upon approval of the Legislature by statute, to aid in the construction of eligible projects and to aid in the funding of voluntary, cost-effective capital outlay water conservation programs and groundwater recharge facilities, and may adopt rules and regulations necessary to carry out this chapter.

Notwithstanding any provision of law, existing rules and regulations adopted by the department pursuant to Chapter 5 (commencing with Section 12880) and Chapter 6.1 (commencing with Section 13450) that are in effect on the effective date of this chapter may be utilized to carry out this chapter. The department may subsequently revise those rules and regulations pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code as necessary to carry out this chapter.

(b) For the purpose of administering this chapter, the total expenditures of the department through the making of any loans may not exceed 5 percent of the total amount of the bonds authorized to be issued under this chapter. *For the purpose of administering individual loans to public agencies,* ~~The~~ *the* department shall establish a reasonable schedule of administrative fees for loans, which fees shall be paid by the local agency pursuant to subdivision (c) ~~of Section 12879.4 to reimburse the state for the costs of state administration of this chapter.~~

to reimburse the department for its actual and necessary costs for administration of those loans. Administrative fees shall not be imposed for any other purpose.

Charges incurred by the Attorney General in protecting the interests of the state in the use and repayment of funds under this chapter shall be paid from the proceeds of bonds authorized to be issued under this chapter. These charges shall not be paid from funds allocated for administrative purposes, but shall be treated as a program expense, not to exceed 1.5 percent of the total amount of the bonds authorized to be issued under this chapter.

(c) Any contract entered into pursuant to this section may include such provisions as may be determined by the department, provided that any contract concerning an eligible project shall include, in substance, all of the following provisions:

(1) A finding by the department that the local agency has the ability to repay the loan, that the eligible project is economically justified, and that the eligible project is feasible from an engineering and geologic standpoint.

(2) An estimate of the reasonable cost and benefit of the eligible project, program, or facility.

(3) An agreement by the local agency to proceed expeditiously with, and complete, the eligible project.

(4) A provision that there shall be no moratorium or deferment on payments of principal or interest.

(5) Local agencies seeking a loan shall demonstrate, to the satisfaction of the department, that an adequate opportunity for public participation regarding the loan has been provided.

(6) Any election held with respect to the loan shall include the entire local agency except where the agency proposes to accept the loan on behalf of a specified portion, or portions, of the agency, in which case the election shall be held in that portion or portions of the agency only.

(7) Annual principal and interest payments shall commence not later than one year after completion of any project and all loans shall be fully amortized not later than 50 years after project completion.

(8) The recipient of a loan shall establish a dedicated source of revenue for repayment of the loan.

(9) Any loans made pursuant to this chapter may be for a period of up to 20 years. The interest rate for the loans made for projects to be funded pursuant to Section 12879.5 shall be set at a rate equal to the interest rate paid by the state on the most recent sale of state general obligation bonds, with that rate to be computed according to the true interest cost method. The interest rate for loans made for projects to be funded pursuant to Section 12879.6 shall be set at a rate equal to 50 percent of the interest rate paid by the state on the most recent sale of state general obligation bonds, with that rate to be computed according to the true interest cost method. When the interest rate so determined is not a multiple of one-tenth of 1 percent, the interest rate shall be set at the next higher multiple of one-tenth of 1 percent. The interest rate set for each contract shall be applied throughout the repayment period of the contract. There shall be a level annual repayment of principal and interest on the loans. The amount of the principal shall include the administrative fee described in subdivision (b).

(d) All loans made pursuant to this chapter shall be subject to the approval of the Legislature by statute.

(e) Applications for loans or financial participation by the state under this chapter shall be made to the department in the form and with the supporting material as may be prescribed by the department.

(f) All money repaid to the state pursuant to any contract executed under this chapter, or under Section 13999.11, shall be deposited in the General Fund as reimbursement for payment of principal and interest on bonds authorized to be issued under this chapter or Chapter 15 (commencing with Section 13999) that have been paid from the General Fund.

(g) As approved annually by the Legislature in the Budget Act, the department, notwithstanding subdivision (b), may expend money repaid to the state pursuant to any contract executed pursuant to this chapter as necessary for the administration of contracts entered into by the department pursuant to this chapter. However, the expenditures may not in any year exceed 1.5 percent of the amount repaid to the state in that year. Charges incurred by the Attorney General in protecting the state's interests in the use and repayment of funds pursuant to this chapter may be paid by the department from these funds. However, the charges may not exceed 0.5 percent of the amount repaid to the state in that year. Any of the foregoing sums approved by the Legislature in the Budget Act but unencumbered at the end of any year shall automatically revert to the General Fund.

SEC. 3. Section 13867 of the Water Code is amended to read:

13867. The department shall require the payment of interest on each loan that ~~is~~ *has been* made pursuant to ~~the provisions of~~ this chapter at a rate ~~equal to the average, as determined by the State Treasurer, of the net interest cost to the state on the sales of general obligation bonds pursuant to the provisions of this chapter. However, when the applicable average of the net interest costs to the state is not a multiple of one-tenth of 1 percent the interest rate shall be at the multiple of one-tenth of 1 percent next above the applicable average of the net interest costs.~~ *that is 50 percent of the average interest rate, computed by the true interest cost method, paid by the state on general obligation bonds sold pursuant to this chapter up to November 7, 1990. The interest rate established by the amendment of this section at the 1989–90 Regular Session of the Legislature shall be applied retroactively for the full term of all loans issued under this chapter from the date of issuance.*

Number on ballot

149. **California Park, Recreation, and Wildlife Enhancement Act of 1990.** (Statutes 1990, Chapter 920, AB 145)

[Rejected by electors November 6, 1990.]

PROPOSED LAW

SECTION 1. Chapter 1.692 (commencing with Section 5096.300) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 1.692. CALIFORNIA PARK, RECREATION, AND WILDLIFE ENHANCEMENT ACT OF 1990

Article 1 General Provisions

5096.300. This chapter shall be known and may be cited as the California Park, Recreation, and Wildlife Enhancement Act of 1990.

5096.301. The Legislature hereby finds and declares all of the following:

(a) It is the responsibility of the state to provide and to assist in the provision of better park, recreation, and museum opportunities and facilities for all citizens of California, and to provide for the preservation of historic, natural, and cultural resources.

(b) It is the policy of the state to preserve, protect, and, where possible, restore coastal resources which are of significant recreational or environmental importance and, through proper planning and development, to make them available for the enjoyment of present and future generations of persons of all income levels, all ages, and all social groups.

(c) When there is proper planning and development, parks, beaches, recreation areas and recreational facilities, museums, and preservation of archaeological and historic sites and structures and natural and cultural resources contribute not only to a healthy physical and moral environment, but also contribute to the economic betterment of the state, and, therefore, it is in the public interest for the state to acquire, develop, and restore areas for recreation, conservation, or preservation and to aid local governments of the state in acquiring, developing, or restoring those areas as will contribute to the realization of the policy declared in this chapter.

5096.302. The Legislature further finds and declares all of the following:

(a) The demand for parks, beaches, recreation and coastal areas and recreational facilities, museums, and historical resource preservation and natural and cultural resource projects in California is far greater than what is presently available, with the number of people who cannot be accommodated at the area of their choice or any comparable area increasing rapidly. Furthermore, the development of parks, beaches, recreation and coastal areas and recreational facilities, museums, and historical resource preservation and natural and cultural resource projects has not proceeded rapidly enough to provide for their full utilization by the public

(b) The demand for parks, beaches, recreation and coastal areas and recreational facilities, museums, and historical resource preservation and natural and cultural resource projects in the urban areas of our state is even greater since over 90 percent of the present population of California reside in urban areas; there continues to be a serious deficiency in open space and recreation areas in the metropolitan areas of the state; and less urban land is available, costs are escalating, and competition for land is increasing.

(c) There is a high concentration of urban social problems in California's major metropolitan areas which can be partially alleviated by increased recreational opportunities.

(d) There is a particularly high demand for water oriented recreational use at rivers, reservoirs, and lakes within the state park system, and recreational facilities at nonstate water facilities are particularly in need of expansion, rehabilitation, or restoration.

(e) Californians have expressed a high priority for increased provision of all of the following:

(1) Protection of wildlife and environmental areas.

(2) Developed campgrounds.

(3) Museums, historic and archaeological sites, zoos, and aquariums.

(4) Recreational trails.

(5) Recreational facilities that are accessible to the handicapped.

(6) Informal play and picnic areas.

(f) California's coast provides a great variety of recreational opportunities not found at inland sites and is heavily used because the state's major urban areas lie, and 85 percent of the state's population lives, within 30 miles of the Pacific Ocean. A shortage of facilities for almost every popular coastal recreational activity exists, and there will be a continuing high demand for popular coastal activities such as fishing, swimming, sightseeing, general beach use, camping, and day use.

(g) Cities, counties, and districts have to exercise constant vigilance to see that the parks, beaches, recreation areas and recreational facilities, schoolsites used for recreational purposes, and historical resources they now have are not lost to other uses. They should acquire additional lands as those lands become available, should take steps to improve the facilities they now have, and should adequately operate and maintain their existing and proposed systems for the enjoyment of present and future generations of persons of all income levels, all ages, and all social groups.

(h) Past and current funding programs have not and cannot meet present deficiencies. This condition has become more acute as a result of restrictions on local governmental revenues. There is a need to give priority to further recreational development that can serve expanding recreational needs, produce operating revenues, and, in some cases, stimulate private sector jobs. In view of the present revenue shortages, and the increasing recreational demands, that priority is most important at this time.

(i) There is a need for additional wildland fire protection to protect the varied natural resources in the state.

(j) In view of the foregoing, the Legislature declares that an aggressive, coordinated, funded program for meeting existing and projected recreational demands has to be implemented without delay.

5096.303. The Legislature further finds and declares all of the following:

(a) The Lake Tahoe region contains unique and irreplaceable resources of state and national significance which, by virtue of the special conditions and circumstances of the region's natural ecology, developmental pattern, population distribution, and human needs, are seriously threatened with rapid deterioration or degeneration which endangers the natural beauty, water quality, public recreational opportunities, and economic health and productivity of the region.

(b) Past and current funding programs are insufficient to address the resource protection and public use needs in the Lake Tahoe region.

(c) In view of the foregoing, the Legislature declares that a coordinated and funded program be implemented to address Lake Tahoe region problems without delay.

5096.304. As used in this chapter, the following terms have the following meanings:

(a) "Coastal resources" means those land and water areas within the coastal zone, as defined in subdivisions (a) and (b) of Section 31006, and within the Santa Monica Mountains Zone, as described in Section 33105, which are suitable for public park, beach, or recreational purposes, including, but not limited to, areas of historical significance and areas of open space that complement park, beach, or recreational areas, or which are suitable for the preservation of coastal resource values

(b) "Committee" means the Park, Recreation, and Wildlife Enhancement Program Finance Committee created pursuant to Section 5096.352.

(c) (1) "District" means any regional park district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 and any recreation and park district formed pursuant to Chapter 4 (commencing with Section 5780). With respect to any area which is not included within a regional park district or a recreation and park district and in which no city or county provides parks or recreational areas or facilities, "district" also means any other district which is authorized by statute to operate and manage parks or recreational areas or facilities, employs a full-time park and recreation employee responsible for directing recreation activities and park operations for the district, offers year-round park and recreation services on lands and facilities owned by the district, and allocates a substantial portion of its annual operating budget to parks or recreation areas or facilities.

A county service area which is formed for the specific purpose of providing park and recreation services or which meets the conditions in this subdivision is a district for purposes of paragraph (1) of subdivision (a) of Section 5096.310.

(2) A district which does not meet the definition of paragraph (1) is eligible to apply for funds specified in paragraph (4) of subdivision (a) of Section 5096.310 if the district is authorized by statute to operate and manage parks or recreational areas or facilities, employs a full-time park and recreation employee responsible for directing recreation activities and park operation for the district, offers year-round park and recreation services on lands and facilities owned by the district, and allocates a substantial portion of its annual operating budget to parks or recreation areas or facilities.

(3) A joint powers entity which is formed for the purpose of planning, acquiring, improving, operating, and maintaining open space and park land, with the approval of a member agency, may apply on behalf of that member agency for funds specified in subdivision (a) of Section 5096.310 and may expend those funds.

(d) "Fund" means the Park, Recreation, and Wildlife Enhancement Bond Fund of 1990 created pursuant to Section 5096.310.

(e) "Historical resource" includes, but is not limited to, any building, structure, site, area, or place which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

(f) "Historical resource preservation project" is a facility or project designed to preserve an historical resource which is either listed, or determined eligible for listing, in the National Register of Historic Places, or is registered as either a state historical landmark or point of historical interest pursuant to Section 5021 and which meets National Register criteria.

(g) "Inland resources" means those land and water areas not included in the definition of coastal resources.

(h) "Lake Tahoe region" means the area described in Section 66905.5 of the Government Code.

(i) "Museum" means an organized and permanent nonprofit institution, essentially educational or aesthetic in purpose, with professional staff, which utilizes tangible objects, cares for them, and exhibits them to the public on some regular schedule.

(j) "Nonprofit organization" means any charitable organization described in Section 501(c) of the federal Internal Revenue Code.

(k) "Program" means the Park, Recreation, and Wildlife Enhancement, Acquisition, and Development Program of 1990 which is established by this chapter.

(l) "Regional entity" means an organization formed by a joint powers agreement by a majority of the counties and cities within one or more littoral cells which has, as its primary goal, the protection, preservation, and restoration of the shoreline.

(m) "Sacramento-San Joaquin Delta" means those land and water areas defined in Section 12200 of the Water Code.

(n) "Stewardship" means projects for the protection, rehabilitation, restoration, and enhancement of cultural resources, basic natural systems, and outstanding scenic features of the state park system. It does not mean the maintenance, alteration, or provision of mitigation of facilities, developments, or of any physical installations whose original purpose was not the protection of the cultural, natural, and scenic resources.

(o) "State museum" means an existing museum which is owned and operated by the State of California.

(p) "Urban corridor greenbelt" means a landscaped strip of land, of at least one mile in length, which is located in a primarily residential and urbanized area. Existing streets may intersect an urban corridor greenbelt.

5096.305. As used in this chapter, and for purposes of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), "state grant" or "state grant moneys" means moneys received by the state from the sale of bonds authorized by this chapter which are available for grants to counties, cities, districts, and nonprofit organizations.

Article 2. Park, Recreation, and Wildlife Enhancement, Acquisition, and Development Program of 1990

5096.310. The proceeds of the bonds issued and sold pursuant to this chapter shall be deposited in the Park, Recreation, and Wildlife Enhancement Bond Fund of 1990, which is hereby created. All money deposited in the fund is available for appropriation in the manner set forth in Section 5096.311 or 5096.312, as the case may be, for the purposes set forth below in amounts not to exceed the following:

(a) For local assistance grants and related state administrative costs, in accordance with the following schedule: $182,000,000

Schedule:

(1) Seventy million dollars ($70,000,000) for allocation to counties, cities, and districts on the basis of population

(2) Twenty million dollars ($20,000,000) for allocation pursuant to the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620)).

(3) Eight million dollars ($8,000,000) for historical resource preservation projects.

(4) *Twenty-seven million dollars ($27,000,000) for hiking, bicycling, jogging, and equestrian trails, and urban corridor greenbelts.*

(5) *Seventeen million dollars ($17,000,000) for cooperative museum projects and for zoos and aquariums.*

(6) *Forty million dollars ($40,000,000) for urban river and waterfront parks.*

(b) *For the acquisition, development, rehabilitation, and restoration of real property for the state park system, in accordance with the following schedule: $108,000,000*

Schedule:

(1) *Twenty-five million ($25,000,000) for the acquisition of real property.*

(2) *Eighty-three million dollars ($83,000,000) for the development, rehabilitation, or restoration of real property, including planning and implementation, in accordance with the following schedule:*

(A) *Twenty-seven million dollars ($27,000,000) for coastal resources.*

(B) *Twenty-five million dollars ($25,000,000) for inland resources and for lakes, reservoirs, and waterways*

(C) *One million dollars ($1,000,000) for interpretive facilities for volunteer programs.*

(D) *Eight million dollars ($8,000,000) for historical resources.*

(E) *Two million dollars ($2,000,000) for trails.*

(F) *Seven million dollars ($7,000,000) for stewardship projects and restoration and rehabilitation necessitated by natural disasters.*

(G) *Thirteen million dollars ($13,000,000) for state museums and interpretive facilities.*

(c) *For the acquisition and development of winter recreation facilities by the Department of Parks and Recreation pursuant to the SNO-PARK program (Chapter 1.27 (commencing with Section 5091.01)) .. $1,000,000*

(d) *For the acquisition, development, enhancement, restoration, protection, or rehabilitation of real property benefiting fish and wildlife by the Wildlife Conservation Board $27,000,000*

(e) *For the acquisition, development, enhancement, and restoration of real property in the Lake Tahoe region by the California Tahoe Conservancy $11,000,000*

(f) For acquisition, development, enhancement, and restoration in accordance with Division 21 (commencing with Section 31000), by the State Coastal Conservancy	*$15,000,000*
(g) For the acquisition, development, and enhancement of land by the Santa Monica Mountains Conservancy	*$10,000,000*
(h) For grants to local public agencies and nonprofit organizations by the Department of Water Resources for urban stream restoration projects	*$2,000,000*
(i) For shoreline stabilization projects, for the development of nonmotorized recreational boating access facilities, and for loans for marinas by the Department of Boating and Waterways	*$6,000,000*
(j) For the development or rehabilitation of park and other visitor serving facilities in Capitol Park by the Department of General Services	*$1,000,000*
(k) For the development, rehabilitation, or restoration of facilities at metropolitan museums	*$18,000,000*
(l) For acquiring land for, developing, and equipping a Lake Tahoe research and public education center by public institutions of higher learning in California, and for planning and administrative costs incurred in connection therewith	*$5,000,000*
(m) For the acquisition, development, restoration, and enhancement of land by the Department of Forestry and Fire Protection	*$6,000,000*
(n) For site acquisition, facilities rehabilitation, and capital improvements by the Department of Forestry and Fire Protection	*$25,000,000*
(o) Unallocated Account	*$20,000,000*

5096.311. (a) Proposed appropriations for the program shall be included in a section in the Budget Bill for consideration by the Legislature and shall bear the caption "Park, Recreation, and Wildlife Enhancement Acquisition and Development Program of 1990." The section shall contain separate items for each project, each class of projects, or each element of the program for which an appropriation is made.

(b) All of the funds allocated pursuant to paragraphs (1) and (2) of subdivision (a) of Section 5096.310 shall be available for appropriation in the Budget Act for the 1991–92 fiscal year. The amounts allocated pursuant to paragraphs (3) to (6), inclusive, of subdivision (a) of Section 5096.310 shall be available for appropriation in the Budget Bill for the 1992–93 fiscal year.

(c) All appropriations shall be subject to all limitations enacted in the Budget Act and to all fiscal procedures prescribed by law with respect to the expenditure of state funds, unless expressly exempted from those laws by a statute enacted by the Legislature. Those sections shall contain proposed appropriations only for the program elements and classes of projects contemplated by this chapter, and no

funds derived from the bonds authorized by this chapter may be expended pursuant to an appropriation not contained in those sections of the Budget Act.

5096.312. (a) Commencing with the Budget Bill for the 1999–2000 fiscal year, the balances remaining in the fund may be appropriated by the Legislature for expenditure, without regard to the maximum amounts allocated to each element of the program, for any element of the program specified in Section 5096.310, or any class of projects within those elements, that the Legislature deems to be of the highest priority.

(b) Notwithstanding subdivision (a), commencing with the Budget Act for the 1997–98 fiscal year, any balances remaining in the fund and available to the Wildlife Conservation Board for the program specified in subdivision (d) of Section 5096.310, but not then appropriated, shall be transferred to the Wildlife Restoration Fund and shall be available for appropriation to the board, without regard to the maximum amounts allocated to each element of the program, for any element of the program specified in subdivision (d) of Section 5096.310.

Article 3. Local Assistance Grants

5096.320. (a) The state grant moneys authorized by paragraph (1) of subdivision (a) of Section 5096.310 shall be allocated to counties, cities, and districts on the basis of their populations, as determined by the Department of Parks and Recreation in cooperation with the Department of Finance on the basis of the most recent verifiable census data and other population data as the Department of Parks and Recreation may require to be furnished by any county, city, or district

(b) Forty percent of the total funds available for grants shall be allocated to counties and regional park, open-space, or park and open-space districts formed pursuant to Chapter 3 (commencing with Section 5500) on or before April 30, 1991 Each county's allocation shall be in the same ratio as the county's population is to the state's total population, except that each county is entitled to a minimum allocation of one hundred fifty thousand dollars ($150,000). In any county that embraces all or part of the territory of a regional park, open-space, or park and open-space district whose board of directors is not the county board of supervisors, the amount allocated to the county shall be apportioned between the county and the regional district in proportion to the population of the county that is included within the territory of the regional district and the population of the county that is outside the territory of the regional district.

For purposes of this subdivision, the City and County of San Francisco is a county

(c) (1) Sixty percent of the total funds available for grants shall be allocated to cities and districts, other than regional park, open-space, or park and open-space districts. Each city's and each district's allocation shall be in the same ratio as the city's or district's population is to the combined total of the state's population that is included in incorporated areas and in unincorporated areas within the districts, except that each city or district is entitled to a minimum allocation of thirty thousand dollars ($30,000). In any instance in which the boundary of a city overlaps the boundary of a district, the population in the area of overlapping jurisdiction shall be attributed to each jurisdiction in proportion to the extent to which each operates and manages parks and recreational areas and facilities for that population. In any instance in which the boundary of a city overlaps the boundary of a district, and in the area of overlap the city does not operate and manage park and recreation areas and facilities, all grant funds shall be allocated to the district.

(2) Each city and other district whose boundaries overlap, shall develop a specific plan for allocating the grant funds in accordance with the formula specified in paragraph (1). If, by March 1, 1991, the plan has not been agreed to by the affected jurisdictions and submitted to the Department of Parks and Recreation, the department shall determine the allocation of the grant funds among the affected jurisdictions.

(3) For purposes of this subdivision, the City and County of San Francisco is a city.

5096.321. The state grant moneys authorized in paragraph (1) of subdivision (a) of Section 5096.310 may be expended by the recipient for any of the following purposes, or any combination thereof:

(a) The development, rehabilitation, improvement, or restoration of all of the following:

(1) Deteriorated roads, utilities, and other structures and facilities within existing parks and recreational areas.

(2) Neighborhood, community, and regional parks.

(3) Beaches and public accessways to beaches.

(4) Historical or archaeological sites and historic structures.

(5) Recreational areas and facilities

(6) Hiking, bicycling, jogging, and equestrian trails.

(7) Museums.

(8) Campgrounds

(9) Lakes, reservoirs, waterways, and aquatic parks.

(b) The procurement of development rights and scenic easements in connection with any acquisition made for any purpose specified in paragraphs (2) to (6), inclusive, of subdivision (a), as long as the right or easement directly enhances the enjoyment or usefulness of the acquisition.

(c) The acquisition of land for park, open space, beach, recreational, or historical preservation purposes.

5096.323. Funds authorized for local assistance grants, for the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620)), pursuant to paragraph (2) of subdivision (a) of Section 5096.310 may be expended, notwithstanding Section 5627, only for the acquisition, development, rehabilitation, or restoration of parks, beaches, open-space lands, recreational trails, or recreational facilities and areas, and for the development rights or scenic easements in connection with those acquisitions.

5096.324. Funds authorized in paragraph (3) of subdivision (a) of Section 5096.310 shall be administered by the State Office of Historic Preservation and shall be available as grants on a competitive basis to cities, counties, districts, and nonprofit organizations for the acquisition, development, rehabilitation, or restoration of historical resources and for historical resource preservation projects. The maximum amount of each grant shall not exceed one million dollars ($1,000,000). An individual jurisdiction may enter into an agreement with a nonprofit organization for the purpose of carrying out a grant, subject to the requirements of subdivision (d) of Section 5096.333. Notwithstanding Section 5096.337, an amount not to exceed 5 percent of the allocation made by paragraph (3) of subdivision (a) of Section 5096.310 may be used for actual costs incurred in connection with the administration of the historical grants. To be eligible for funding, each project shall meet the preservation standards established by the State Office of Historic Preservation for the California Park and Recreation Facilities Act of 1984 (Chapter 1691 (commencing with Section 5096.225)) and

the California Wildlife, Coastal, and Park Land Conservation Act (Division 5.8 (commencing with Section 5900)). Not less than one million dollars ($1,000,000) of the amount authorized in paragraph (3) of subdivision (a) of Section 5096.310 shall be available only for the acquisition and preservation of archaeological resources, including Native American rock art and inscriptions.

5096.325 (a) Not more than twenty million dollars ($20,000,000) of the funds authorized in paragraph (4) of subdivision (a) of Section 5096.310 shall be available, upon appropriation by the Legislature, as grants on a competitive basis to cities, counties, and districts for the acquisition and development of urban corridor greenbelts for walking, bicycling, jogging trails, and landscaped scenic areas. An eligible city, county, or district may submit an application for a grant to the Department of Parks and Recreation The department shall evaluate the application and, after approval by the State Park and Recreation Commission, submit its recommendations to the Legislature. If the right-of-way for the proposed corridor has previously been used as a transportation corridor, the department shall request the California Transportation Commission to review and comment on the transportation impact of eliminating the availability of the land for transportation purposes. The California Transportation Commission's comments shall be incorporated into the department's recommendations to the Legislature. Funds shall be allocated to cities, counties, and districts pursuant to subsequent legislation appropriating the funds. No individual city, county, or district may receive more than 35 percent of the funds authorized by this subdivision

(1) A recipient is not required to vacate or abandon existing streets which intersect the proposed urban corridor greenbelt, but shall agree that no new intersections will be constructed through that urban corridor greenbelt.

(2) A recipient may convey an easement in land which underlies an urban corridor greenbelt that the recipient may possess, for either or both of the following purposes.

(A) Public transit use.

(B) Public utility use.

(3) Grants shall be made on the basis of 50 percent state funds and 50 percent local matching funds or property donated to be part of the project. The grant recipient shall certify to the Department of Parks and Recreation that there is available, or will become available prior to the commencement of any work on the project, matching funds or property in the amount required for the completion of the project from a source other than this chapter. Certification of the source and amount or value shall be set forth in the application.

(b) The remainder of the funds authorized in paragraph (4) of subdivision (a) of Section 5096.310 shall be available as grants on a competitive basis to cities, counties, districts, and nonprofit organizations for the development, improvement, or rehabilitation of hiking, bicycling, jogging, and equestrian trails recognized in a local general plan, regional plan, master plan, or state plan. Not less than two million dollars ($2,000,000) shall be allocated for the development of regional recreational trail systems, located in metropolitan areas, that are designed to serve persons throughout the entire metropolitan area and that connect parks and open space and natural, educational, historical, and cultural resources

5096.326 Not more than five million dollars ($5,000,000) of the funds authorized in paragraph (5) of subdivision (a) of Section 5096.310 shall be available as grants on a competitive basis to cities, counties, and nonprofit

organizations for the development, rehabilitation, or restoration of facilities accredited by the American Association of Zoological Parks and Aquariums and operated by cities, counties, and nonprofit organizations and to cities and counties for the development, rehabilitation, or restoration of zoos and aquariums operated by a city or county, but not accredited by the American Association of Zoological Parks and Aquariums. This program of development, rehabilitation, or restoration shall be known and may be cited as the Dr Paul Chaffee Zoological Program. Priority in awarding grants pursuant to this subdivision shall be in accordance with the following order of preference:

(a) Facilities that have not been cited with an "Official Warning and Notification" for violations by the United States Department of Agriculture, or have been found by a court to have been in violation, within the preceding five years of provisions relating to the care, handling, or management of animals.

(b) Facilities that have been so cited for violations by the United States Department of Agriculture, or have been found by a court to have been in violation, of those provisions within the preceding five years, but do not have an alleged violation case or investigation pending against them

(c) Facilities that are not currently in compliance with federal laws or regulations of the United States Department of Agriculture, but the grant may be expended only to correct deficiencies, for which the citation was issued, to the satisfaction of that department.

5096.328. (a) The funds authorized in paragraph (5) of subdivision (a) of Section 5096.310 and not granted for purposes of Section 5096.326 shall be available as grants on a competitive basis to cities, counties, and nonprofit organizations for the development or rehabilitation of real property consisting of cooperative museum projects.

(b) To be eligible for funding, a project shall initially be nominated by a Member of the Legislature for study by the Department of Parks and Recreation. The department shall study each project so nominated and, prior to the April 1 preceding the fiscal year for which funding is proposed to be appropriated, shall submit to the Legislature a prioritized listing and comparative evaluation of all projects nominated prior to the preceding July 1.

(c) In establishing priorities of cooperative museum projects, the department shall consider characteristics, including, but not limited to, all of the following:

(1) The project will interpret one or more important California historical, cultural, economic, or resource themes or an important historical, cultural, economic, technology, or resource theme in a major region of California. Higher priority shall be assigned to projects whose themes are not interpreted in any existing museum or have demonstrable deficiencies in their presentation in an existing museum

(2) The project is proposed to be operated on lands that are already in public ownership or on lands that will be acquired and used for the project in conjunction with adjoining public lands.

(3) Projects which are closely related geographically to the resources, activity, structure, place, or collection of objects to be interpreted, and are close to population centers and access routes.

(4) Projects that are in, or close to, population centers or are adjacent to, or readily served by, a state highway or other mode of public transportation

(5) Projects for which there are commitments, or the serious likelihood of commitments, of funds or the donation of land or other property suitable for the project

(d) The Department of Parks and Recreation shall annually forward a list of the highest priority projects to the Department of Finance for inclusion in the Budget Bill.

(e) An application for a grant for a cooperative museum project shall be submitted jointly by the city, county, or nonprofit organization and another public agency, an institute of higher learning, or another nonprofit organization that cooperatively are operating, or will operate, the museum.

5096.329. (a) The funds specified in paragraph (6) of subdivision (a) of Section 5096.310 shall be available as grants on a competitive basis to cities, counties, and districts for urban river and waterfront park projects.

(b) To be eligible for funding, a project shall initially be nominated by a Member of the Legislature for study by the Department of Parks and Recreation. The department shall study any project so nominated and, prior to each fiscal year, shall submit to the Legislature a prioritized listing and comparative evaluation of all projects nominated during the preceding year.

(c) In establishing priorities of these projects pursuant to subdivision (b), the department shall consider characteristics, including, but not limited to, all of the following:

(1) The project is a regional facility which will serve an urbanized population.

(2) The project will provide utilization of a river, major tributary to a river, or waterfront park.

(3) The project will promote the expanded use of existing recreational units.

(4) If the project is for the acquisition of land, the acquisition is necessary to ensure completion of a master, conceptual, or general plan.

5096.330. (a) After one or more public hearings, the Department of Parks and Recreation shall adopt criteria and procedures to clarify or amplify the statutory criteria for evaluating applications for competitive grants specified in paragraphs (5) and (6) of subdivision (a) of Section 5096.310. The department shall not commence the hearings sooner than 30 days following submittal to the Joint Legislative Budget Committee, the standing committees of each house of the Legislature having jurisdiction over parks and recreation, and the fiscal committees of each house. The criteria and procedures shall not become effective until approved by the Secretary of the Resources Agency.

(b) The department may, as needed, and in accordance with the procedures specified in subdivision (a), revise existing criteria and procedures for evaluating applications for competitive grants specified in paragraphs (3) and (4) of subdivision (a) of Section 5096.310. All new, revised, and existing criteria shall be broadly disseminated.

5096.331 (a) Individual applications for local assistance grants pursuant to this article shall be submitted to the Department of Parks and Recreation for approval as to conformity with the requirements of this chapter. Except for an application for a grant under paragraph (3) or (5) of subdivision (a) of Section 5096.310, the application shall be accompanied by certification from the planning agency of the applicant that the project for which the grant is applied is consistent with the park and recreation element of the applicable city or county's general plan or the district's park and recreation plan and will satisfy a high priority need. In order to utilize available grant funds as effectively as possible, overlapping or adjoining jurisdictions are encouraged to combine projects and submit a joint application

(b) With the exception of grants provided under paragraphs (1), (2), and (4) of subdivision (a) of Section 5096.310, the minimum amount that may be applied for any individual project is twenty thousand dollars ($20,000).

(c) Every application for a grant shall comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000)).

(d) Upon completion of the review of applications submitted pursuant to subdivision (a), projects recommended for approval shall be forwarded to the Director of Finance for inclusion in the Budget Bill.

(e) Any amount granted on a competitive basis pursuant to this article shall be in addition to, and not in lieu of, any other grant to which the applicant jurisdiction may be entitled to pursuant to this chapter or other funds that may also be used for the purpose for which the grant is applied for.

5096.333. (a) No state grant moneys authorized under subdivision (a) of Section 5096.310 may be disbursed until the applicant agrees that any property acquired, developed, rehabilitated, or restored with the funds will be used by the applicant only for the purpose for which the funds were requested, and that no other use, sale, or other disposition of the property is permitted except by a specific act of the Legislature. If the use of the property is changed to one other than permitted under the paragraph of subdivision (a) of Section 5096.310 from which the funds were appropriated, or the property is sold or otherwise disposed of, an amount equal to the amount of the grant or equal to the fair market value of the real property, or portion thereof, acquired, developed, rehabilitated, or restored with the grant, whichever is greater, shall be used by the city, county, or district for a purpose authorized in that paragraph or shall be reimbursed to the fund for a use authorized in that paragraph.

(b) No state grant moneys authorized under subdivision (a) of Section 5096.310 may be disbursed unless the applicant agrees to maintain and operate the property acquired, developed, rehabilitated, or restored pursuant to this chapter for a period commensurate with the type of project and the proportion of state grant moneys and local funds allocated to the capital costs of the project.

(c) Funds appropriated for local assistance grants pursuant to subdivision (a) of Section 5096.310 shall be encumbered by the recipient within three years of the date when the appropriation becomes effective, regardless of the date when each project was recommended for approval pursuant to subdivision (d) of Section 5096.331.

(d) State grant moneys granted pursuant to subdivision (a) of Section 5096.310 may be expended for development, rehabilitation, or restoration only on lands owned by, or subject to a lease or other interest held by, the applicant. If those lands are not owned by the applicant, the applicant shall first demonstrate to the satisfaction of the Department of Parks and Recreation that the development, rehabilitation, or restoration will provide benefits commensurate with the type and duration of interest in land held by the applicant.

5096.334. In awarding grants, the Department of Parks and Recreation shall give special consideration to projects for the modification or rehabilitation of existing real property used for park, beach, recreation, museum, and historical resource purposes, to make the property more accessible to the handicapped.

5096.335 To the greatest extent possible, grants made pursuant to paragraphs (3), (4), (5), and (6) of subdivision (a) of Section 5096.310 shall each be allocated on an equal geographic basis.

5096.336. All grant funds provided in subdivision (a) of Section 5096.310 shall be on a reimbursement basis with the local agency receiving reimbursement up to

the approved grant amount upon completion of the project. The Department of Parks and Recreation may provide for reimbursement on an incremental basis.

5096.337. Actual state costs incurred in connection with administering the grant programs authorized in subdivision (a) of Section 5096.310 shall be paid from the funds authorized therefor, but not more than 1.5 percent of the total amount available pursuant to subdivision (a) of Section 5096.310 may be so used.

Article 4. State Park System

5096.340. The Legislature recognizes that public financial resources are inadequate to meet all capital outlay needs of the state park system and that many units have facilities which are over 40 years old and heavy use has deteriorated these facilities, requiring funds for rehabilitation to make these facilities available for public use. The Legislature further recognizes that the development of recently acquired units of the state park system has proceeded at a rate that has prevented their full potential for public use from being realized Accordingly, it is declared to be the policy of the state that funds allocated pursuant to subdivision (b) of Section 5096.310 shall be appropriated primarily for projects that accomplish the following:

(a) Serve metropolitan population centers and accommodate day-use and weekend-overnight visits.

(b) Provide for the development of existing units with the minimum facilities necessary for accessibility, use, and interpretation.

(c) Rehabilitate facilities at existing units that will provide for more efficient management and reduced operational costs.

(d) Minimize dependence on motor vehicles and reduce other forms of energy and water consumption through appropriately designed facilities.

(e) Acquire those lands which will lead to the completion of ongoing projects, including those begun under the California Wildlife, Coastal, and Park Land Conservation Act of 1988 (Proposition 70) approved by the California voters at the June 7, 1988, direct primary election

(f) Preserve examples of historical resources, natural resources, and natural landscapes that are underrepresented in the state park system.

5096 341 (a) Any Member of the Legislature, the State Park and Recreation Commission, or the California Coastal Commission or the Secretary of the Resources Agency may nominate any project to be funded under this article for study by the Department of Parks and Recreation. The State Park and Recreation Commission shall nominate projects after holding at least one public hearing to seek project proposals from individuals, citizen groups, the Department of Parks and Recreation, and other public agencies. Any of the commissions shall make nominations by a vote of its membership.

(b) The Department of Parks and Recreation shall study any nominated project In addition to the procedures required by Section 5006, the department shall submit annually to the Legislature and to the Secretary of the Resources Agency a report consisting of a prioritized listing and comparative evaluation of all projects nominated for study, in accordance with the following schedule·

(1) March 1, 1991, for projects nominated prior to January 1, 1991.

(2) November 1, 1991, for projects nominated prior to June 30, 1991, and after January 1, 1991

(3) November 1, 1992, and each November 1 thereafter, for projects nominated during the 12 months ending June 30, 1992, and each June 30 thereafter.

(c) Nominated projects shall be subject to the favorable recommendation of the State Park and Recreation Commission and approved by the Secretary of the Resources Agency and forwarded by the secretary to the Director of Finance for inclusion in the Budget Bill.

5096.342. In the allocation of funds pursuant to subdivision (b) of Section 5096.310, added consideration shall be given to projects in areas previously underserved by the state park system.

5096.343. Acquisition for the state park system by purchase or by eminent domain shall be made pursuant to the Property Acquisition Law (Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code).

5096.344. Funds allocated for acquisition for the state park system pursuant to paragraph (1) of subdivision (b) of Section 5096.310 may be expended only for acquisitions inside the boundaries of existing projects or units of the state park system, as additions to existing projects or units, and for new projects, except that not more than eleven million two hundred fifty thousand dollars ($11,250,000) shall be available for new projects and not more than six million dollars ($6,000,000) may be expended for any single project or unit.

5096 345. Funds allocated for coastal resources in subparagraph (A) of paragraph (2) of subdivision (b) of Section 5096.310 shall be allocated for the land and water areas constituting coastal resources in a manner that will achieve the broadest geographic distribution along the coast and in the San Francisco Bay region, while considering priority of need for each project.

5096 346. Funds allocated pursuant to subparagraph (B) of paragraph (2) of subdivision (b) of Section 5096.310 shall be available for inland resources and lakes, reservoirs, and waterways within the state park system, including State Water Facilities, as defined in paragraphs (1) to (4), inclusive, of subdivision (d) of Section 12934 of the Water Code, within the state park system.

5096.347. Funds allocated pursuant to subparagraph (C) of paragraph (2) of subdivision (b) of Section 5096.310 shall be available for interpretive facilities that support volunteer community action programs for the state park system.

5096.348. (a) Priority for the expenditure of funds allocated pursuant to subparagraph (G) of paragraph (2) of subdivision (b) of Section 5096.310 shall be for the completion or expansion of interpretive facilities and state museum projects that are included in a general plan, master plan, or feasibility study for a unit of the state park system.

(b) All historic resource preservation projects for the state park system funded pursuant to subparagraph (D) of paragraph (2) of subdivision (b) of Section 5096.310 shall meet the preservation standards established by the State Office of Historic Preservation for the California Park and Recreation Facilities Act of 1984 (Chapter 1.691 (commencing with Section 5096 225)) and the California Wildlife, Coastal, and Park Land Conservation Act (Division 5.8 (commencing with Section 5900)).

5096.350. In making expenditures in the various specific allocation categories of paragraph (2) of subdivision (b) of Section 5096.310, at least five million dollars ($5,000,000) shall be spent for the development or rehabilitation of campgrounds in the state park system, including camper-serving facilities, common areas, and natural features within campgrounds.

5096.351. Funds allocated pursuant to subparagraph (E) of paragraph (2) of subdivision (b) of Section 5096.310 shall be available for the development or rehabilitation of trails within the state park system or connecting units of the state park system.

5096.352. (a) Of the amount allocated pursuant to subparagraph (F) of paragraph (2) of subdivision (b) of Section 5096.310, five million dollars ($5,000,000) shall be available for stewardship projects that provide protection of the most critical cultural natural and scenic features of the state park system and two million dollars ($2,000,000) for restoration and rehabilitation necessitated by natural disasters.

(b) The two million dollars ($2,000,000) allocated for natural disasters is continuously appropriated to the Department of Parks and Recreation for natural disaster damage sustained in a Governor declared natural disaster and shall be available for expenditure following notification and approval of projects by the Department of Finance and following 30 days from notification in writing of the necessity therefor to the Chairperson of the Joint Legislative Budget Committee. Projects over two hundred fifty thousand dollars ($250,000) shall also require approval from the State Public Works Board.

(c) Works efforts for natural heritage stewardship purposes may include, but are not limited to, objectives such as the control of major erosion and geologic hazards, the restoration and improvement of critical plant and animal habitat, the control and elimination of exotic species encroachment, and the stabilization of coastal dunes and bluffs. Those work efforts shall not include activities which merely supplement normal state park system operations or which are usually funded from other sources.

(d) Work efforts for cultural heritage stewardship purposes may include, but are not limited to, stabilization and protection of historic and archaeological resources in the state park system. Those resources may include sites, features, ruins, archaeological deposits, historic landscape resources, and rock art features making up the physical legacy of California's past. These work efforts do not include the rehabilitation, restoration, reconstruction, interpretation, or mitigation typically required as part of the facility development program.

Article 5. Miscellaneous Provisions

5096.360. Funds allocated pursuant to subdivision (d) of Section 5096.310 shall be available for expenditure by the Wildlife Conservation Board pursuant to the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300) of Division 2 of the Fish and Game Code) for the following particular purposes:

(a) Ten million dollars ($10,000,000) for the acquisition, in fee or perpetual conservation easements, enhancement, or development of habitat for wildfowl or other wildlife benefited by a marsh environment for the purpose of carrying out the Central Valley Habitat Joint Venture Component of the North American Waterfowl Management Plan. However, strong preference shall be given to projects involving acquisition of perpetual conservation easements or habitat development.

(b) Seventeen million dollars ($17,000,000) for the acquisition, enhancement, restoration, or protection of any of the following:

(1) Critical wildlife habitat.

(2) Lands or waters for the threatened, endangered, or fully protected species or indicator species for specialized habitats, including acquisition along river corridors.

(3) Real property for wildlife-oriented public use projects.

(c) Notwithstanding subdivisions (a) and (b), up to one million dollars ($1,000,000) may be allocated by the board for the construction of a center south of California along the migratory path of California bird species for the study of tropical biology, one of whose principal purposes is the conservation of habitat critical to the preservation of migratory bird species native to California.

5096.361. Funds allocated pursuant to subdivision (e) of Section 5096.310 shall be available for the expenditure for the acquisition, development, restoration, and enhancement of real property by the California Tahoe Conservancy within the Lake Tahoe region pursuant to Title 7.42 (commencing with Section 66905) of the Government Code, and for administrative costs incurred therewith, for the following purposes:

(a) Protecting the natural environment through soil erosion control, restoration or enhancement of environmentally sensitive lands, and restoration of streams and other natural areas.

(b) Providing public access and public recreation projects.

(c) Enhancing wildlife areas.

(d) Consolidating lands for their more effective management as a unit.

5096.362 Funds allocated pursuant to subdivision (f) of Section 5096 310 shall be available for the purposes of Division 21 (commencing with Section 31000), and for administrative costs incurred in connection with these purposes.

5096.363. Funds allocated pursuant to subdivision (g) of Section 5096.310 shall be available for expenditure for acquisition, development, and enhancement of lands by the Santa Monica Mountains Conservancy and related state administrative costs, pursuant to, and consistent with the purposes of, Division 23 (commencing with Section 33000).

5096.364. Funds allocated pursuant to subdivision (h) of Section 5096.310 shall be available for grants to local public agencies and nonprofit organizations by the Department of Water Resources for the acquisition or restoration of natural lands that contain urban streams, creeks, and riparian areas, for related state administrative costs, not to exceed one hundred thousand dollars ($100,000), and for use by the Department of Water Resources to provide planning and design assistance to the local agencies and nonprofit organizations, in an amount not to exceed 10 percent of the amount available for grants in any fiscal year, in accordance with Section 7048 of the Water Code.

5096.365. (a) Funds allocated pursuant to subdivision (i) of Section 5096.310 shall be available for expenditure by the Department of Boating and Waterways for the following purposes and in the following amounts:

(1) Four million dollars ($4,000,000) for shoreline stabilization projects on publicly owned land in accordance with Article 2.5 (commencing with Section 65) of Chapter 2 of Division 1 of the Harbors and Navigation Code.

(2) One million seven hundred fifty thousand dollars ($1,750,000) for loans for marinas pursuant to Section 71.4 of the Harbors and Navigation Code.

(3) Two hundred fifty thousand dollars ($250,000) for grants for the development of waterway public access facilities used primarily by rafters, canoeists, tubers, and kayakers, in cooperation with other public agencies.

(b) When considering eligible shoreline stabilization projects under paragraph (1) of subdivision (a), nonstructural alternatives shall be given preference and structural alternatives shall only be funded if the Department of Boating

and Waterways, in consultation with the California Coastal Commission and the appropriate county or city government, finds that nonstructural alternatives are not feasible.

5096.366. Funds allocated pursuant to subdivision (j) of Section 5096.310 shall be available for appropriation to the Department of General Services for the development or rehabilitation of park and other visitor serving facilities in Capitol Park, consisting of the landscaped areas bounded by L, 15th, N, and 9th streets in Sacramento. None of these funds may be expended for office space, or any other area not accessible to visitors, in any structure in Capitol Park or for exterior improvements to the State Capitol, the Jesse M. Unruh Building, or the Library and Courts Building

5096.367. (a) Funds allocated pursuant to subdivision (k) of Section 5096.310 shall be appropriated to the Controller for disbursement, in accordance with the following schedule:

(1) Eight million dollars ($8,000,000) to the California Academy of Sciences in San Francisco.

(2) Ten million dollars ($10,000,000) to the Museum of Science and Industry in Los Angeles. Of the amount received by the Museum of Science and Industry under this section, the museum shall allocate one million five hundred thousand dollars ($1,500,000) to the California Museum of Latino History, Art, and Culture for the purposes of Chapter 8.8 (commencing with Section 8740) of Division 1 of Title 2 of the Government Code The remaining funds shall be used by the museum only for seismic rehabilitation.

(b) Funds allocated pursuant to subdivision (m) of Section 5096.310 shall be available for expenditure by the Department of Forestry and Fire Protection for the acquisition of adjacent parcels, consisting of approximately 2,480 acres, that are necessary for the management of the Demonstration State Forest System.

(c) Funds allocated pursuant to subdivision (o) of Section 5096.310 may be expended for any purpose specified in this chapter that the Legislature determines to be of the highest priority.

5096.368. Projects authorized for the purposes set forth in subdivision (b) of Section 5096.310 are subject to augmentation, as provided in Section 16352 of the Government Code, as limited by any provision of the Budget Act. The unexpended balance in any appropriation made payable from the fund which the Director of Finance, with the approval of the State Public Works Board, determines not to be required for expenditure pursuant to the appropriation, may be transferred on order of the Director of Finance to, and in augmentation of, the appropriation made in Section 16352 of the Government Code.

5096.369. The Department of General Services, if the Director of Parks and Recreation finds that the use would be compatible with the ultimate use of the real property as a unit, or part of a unit, of the state park system and with the sound management and conservation of resources within the unit, may make agreements with respect to any real property acquired pursuant to subdivision (b) of Section 5096.310 for the continued tenancy of the seller of the property for a period of time and under conditions that may be mutually agreed upon by the state and the seller so long as the seller promises to pay the taxes on his or her interest in the property that become due, owing, or unpaid on the interest created by the agreement, and so long as the seller conducts any operations on the land according to specifications issued by the appropriate director or officer to protect the property for the public use for which it was acquired. A copy of the agreement shall be filed with the county clerk in the county in which the property is located.

The arrangement shall be compatible with the operation of the area by the state, as determined by the appropriate director or officer.

5096.370. All real property acquired pursuant to this chapter shall be acquired in compliance with Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code. The Department of Parks and Recreation shall prescribe procedures sufficient to ensure compliance by local public agencies which receive funds under subdivisions (a) and (b) of Section 5096.310

5096.371. For purposes of this chapter, acquisition may include gifts, purchases, leases, easements, the exercise of eminent domain if expressly authorized, the transfer or exchange of property for other property of like value, and purchases of development rights and other interests.

5096.372. All grants, gifts, devises, or bequests to the state, conditional or unconditional, for park, conservation, recreation, or other purposes for which real property may be acquired or developed pursuant to this chapter, may be accepted and received on behalf of the state by the appropriate departmental director with the approval of the Director of Finance. The grants, gifts, devises, or bequests shall be available, when appropriated by the Legislature, for expenditure for the purposes specified in Section 5096.310.

5096.373. Real property acquired for the state park system shall consist predominantly of open or natural lands, including lands under water capable of being utilized for multiple recreational purposes, and lands necessary for the preservation of coastal or historical resources. No funds derived from the bonds authorized by this chapter shall be expended for the construction of any reservoir designated as a part of the "State Water Facilities," as defined in subdivision (d) of Section 12934 of the Water Code.

5096.374. (a) Prior to recommending the acquisition of lands that are located on or near tidelands, submerged lands, swamp or overflowed lands, or other wetlands, whether or not those lands have been granted in trust to a local public agency, the Director of Parks and Recreation shall submit to the State Lands Commission any proposal by a state or local public agency for the acquisition of those lands pursuant to this chapter. The State Lands Commission shall, within three months of submittal, review the proposed acquisition, make a determination as to the state's existing or potential interest in the lands, and report its findings to the public agency proposing to acquire the land, to the Department of Parks and Recreation, and to the Department of General Services.

(b) No provision of this chapter shall be construed as authorizing the condemnation of state lands

5096.375. In furtherance of the intent expressed by the people in paragraphs (5) and (6) of subdivision (a) of Section 2796 of the Fish and Game Code, as enacted by the people at the June 5, 1990, direct primary election, expenditures from the Park, Recreation, and Wildlife Enhancement Bond Fund of 1990 may be credited toward required expenditures from the Habitat Conservation Fund pursuant to Section 2787 of the Fish and Game Code, but only to the extent those expenditures are for the purposes expressed in Sections 2786, 2787, and 2791 of the Fish and Game Code.

5096.376. Funds allocated pursuant to subdivision (n) of Section 5096.310 shall be available for expenditure by the Department of Forestry and Fire Protection for site acquisition, facilities, rehabilitation, and capital improvements.

Article 6. Fiscal Provisions

5096.380. Bonds in the total amount of four hundred thirty-seven million dollars ($437,000,000), exclusive of refunding bonds, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

5096.381. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

5096.382. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Park, Recreation, and Wildlife Enhancement Program Finance Committee is hereby created. For purposes of this chapter, the Park, Recreation, and Wildlife Enhancement Program Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Governor, the Controller, the Director of Finance, the Treasurer, and the Secretary of the Resources Agency, or their designated representatives. The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Resources Agency is designated the "board."

5096.383. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 5096.310, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

5096.384. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds maturing each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

5096.385. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 5096.386, appropriated without regard to fiscal years.

5096.386. For the purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or

amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from the sale of bonds for the purpose of carrying out this chapter.

5096.387. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out this chapter. The amount of the request shall not exceed the amount of the unsold bonds which the committee has, by resolution, authorized to be sold for the purpose of carrying out this chapter. The board shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

5096.388. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest

5096.389. The bonds may be refunded in accordance with Article 6 of the State General Obligation Bond Law. Approval by the voters of the state of the issuance of the bonds includes the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

5096.390. Notwithstanding any provision of this chapter or the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes, subject to designated conditions, the Treasurer may maintain separate accounts for the investment of bond proceeds and the investment earnings on those proceeds. The Treasurer may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

5096.391. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

Number on ballot

150. **County Courthouse Facility Capital Expenditure Bond Act of 1990.** (Statutes 1990, Chapter 921, AB 2180)

[Rejected by electors November 6, 1990.]

PROPOSED LAW

SECTION 1. Chapter 5 (commencing with Section 23800) is added to Division 1 of Title 3 of the Government Code, to read:

CHAPTER 5. COUNTY COURTHOUSE FACILITY CAPITAL EXPENDITURE BOND ACT OF 1990

Article 1. General Provisions

23800. This chapter shall be known and may be cited as the County Courthouse Facility Capital Expenditure Bond Act of 1990.

23801. The Legislature finds and declares all of the following.

(a) Counties have been unable to provide sufficient courtrooms to meet the demands placed on their courts

(b) Numerous county courthouse facilities throughout California are approaching dilapidation or lack adequate security features.

(c) Capital improvements are necessary to protect the life and safety of judges, court personnel, and the public at large.

(d) County courthouse facilities must be expanded in order to alleviate the case processing delays that are undermining our judicial system.

(e) Due to fiscal constraints associated with the loss of local property tax revenues, counties are unable to finance the construction of adequate courthouse facilities.

(f) Local courthouse facilities are operating over capacity and the caseload is still increasing at a rapid rate. It is essential to our legal system that construction of new facilities proceed as expeditiously as possible to facilitate a speedy judicial process and maintain public confidence in our judicial system

23802. As used in this chapter, the following terms have the following meanings:

(a) "Committee" means the County Courthouse Facility Capital Expenditure Finance Committee created pursuant to Section 23822.

(b) "Fund" means the 1990 County Courthouse Facility Capital Expenditure Bond Fund created pursuant to Section 23810.

(c) "County courthouse facilities" means county judicial facilities, including facilities for the adjudication of criminal and civil trials and the hearing of cases involving juveniles.

Article 2. County Courthouse Facility Capital Expenditure Program

23810. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the 1990 County Courthouse Facility Capital Expenditure Bond Fund, which is hereby created.

23811 (a) Moneys in the fund shall be available, upon appropriation, for the construction, reconstruction, remodeling, and the replacement of county courthouse facilities, and the performance of deferred maintenance on county courthouse facilities. However, deferred maintenance for facilities shall only include items with a useful life of at least 10 years

(b) Expenditure shall be made only if county matching funds of 25 percent are provided as determined by the Legislature, except that this requirement may be modified or waived by the Legislature where determined necessary to facilitate the expeditious and equitable construction of local courthouse facilities.

23812. In order to be eligible to receive funds for the purposes specified in subdivision (a) of Section 23811 derived from the issuance of bonds under this title, a county shall do all of the following:

(a) Diligently maintain and report those statistics as may be reasonably required by the Judicial Council, and also develop a plan for the reduction of trial court delays. A county need not develop such a plan if it is already participating

in a program under the Trial Court Delay Reduction Act of 1986 (Article 5 (commencing with Section 68600) of Chapter 2 of Title 8 of the Government Code).

(b) Demonstrate that it does not have adequate facilities for the courts to expeditiously and safely carry out their responsibilities.

(c) Demonstrate that it has utilized, to the greatest practicable extent, available local financing for courthouse construction.

23813. Money in the fund may only be expended for projects specified in this chapter as allocated in appropriations made by the Legislature.

Article 3. Fiscal Provisions

23820. Bonds in the total amount of two hundred million dollars ($200,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

23821. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

23822. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the County Courthouse Facility Capital Expenditure Finance Committee is hereby created. For purposes of this chapter, the County Courthouse Facility Capital Expenditure Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Governor, the Controller, the Treasurer, and the Director of Finance, or their designated representatives. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Judicial Council of California is designated the "board."

23823. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 23811 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time

23824. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year, and it is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

23825. Notwithstanding Section 13340, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 23826, appropriated without regard to fiscal years.

23826. For the purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund, plus an amount equal to the interest those moneys would have earned in the Pooled Money Investment Account, from money received from the sale of bonds for the purpose of carrying out this chapter.

23826.5. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out the provisions of this chapter. The amount of the request shall not exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter. The board shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

23827. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

23828. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code. Approval by the electors of the state for the issuance of the bonds shall include the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

23829.5. Notwithstanding any provision of this chapter or the State General Obligation Bond Law as set forth in Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes, subject to designated conditions, the Treasurer shall be authorized to maintain separate accounts for the investment of bond proceeds and the investment earnings on such proceeds, and the Treasurer shall be authorized to use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

23829. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

Number on ballot

151. **Child Care Facilities Financing Act of 1990.** (Statutes 1990, Chapter 922, SB 78)

[Rejected by electors November 6, 1990]

PROPOSED LAW

SECTION 1. Chapter 2.9 (commencing with Section 1499) is added to Division 2 of the Health and Safety Code, to read:

CHAPTER 2.9. CHILD CARE FACILITIES FINANCING ACT OF 1990

Article 1. General Provisions

1499. This chapter shall be known and may be cited as the Child Care Facilities Financing Act of 1990.

1499.01. It is the intent of the Legislature in submitting the Child Care Facilities Financing Act to the voters, that funds from the sale of bonds under this act be used to expand the capacity for child care services in licensed child care facilities. Expansion of licensed capacity may be accomplished through construction, acquisition, or conversion of an existing structure from its present use to use as a child care facility, or expansion of an existing child care facility in order to serve additional children.

The Legislature finds that there is a need for 1 5 to 2.5 million child care spaces in the state. With only 500,000 licensed child care spaces, this indicates a need for an additional one to two million child care spaces in the state.

In addition to the overall unmet need for child care serving all children, the Legislature further finds that there is significant unmet need for child care services among special populations of children, including abused and neglected children, handicapped children, children from low-income families, children who are sick, and children from one-parent families.

1499.01.5. Before or after approval by the voters, Articles 1 and 2 may be modified with full force and effect by a lawfully enacted act.

1499.02. Unless the context otherwise requires, the definitions contained in this article shall govern the construction of this chapter.

1499.04. "Acquiring" means obtaining ownership of an existing facility in fee simple or by lease for 10 years or more for use as a child care facility.

1499.06. "Altering" or "renovating" means making modifications to an existing facility which are necessary for expansion of existing capacity in a child care facility or conversion of a building to child care use, including restoration, repair, expansion, and all related physical improvements.

1499.08. "Authority" means the Child Care Facilities Authority.

1499.10. "Bond" means a state general obligation bond issued pursuant to this chapter adopting the State General Obligation Bond Law.

1499.12. "Bond fund" means the Child Care Facilities Bond Fund created pursuant to Section 1499.25.

1499.14. "Child day care facility" means a facility which provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for either sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. "Child day care facility," includes, but is not limited to, day care centers as defined in Section 1596.76. For purposes of this act, "child day care facility" does not include family day care homes, as defined in Section 1596.78.

1499.16. "Committee" means the Child Care Facilities Finance Committee created pursuant to Section 1499.54.

1499.18. "Constructing" means building a new facility, including the costs of land acquisition and architectural and engineering fees.

1499.20. "Equipment" means tangible personal property having a useful life of more than one year and an acquisition cost of three hundred dollars ($300) or more.

1499.22. "Nonprofit" means an institution or organization which is owned or operated by one or more corporations or associations with no part of the net earnings benefiting any private shareholder or individual.

Article 2. Child Care Program

1499.25. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the Child Care Facilities Bond Fund, which is hereby created. The fund is hereby appropriated to the Controller, without regard to fiscal years, for allocation, upon the request of the Child Care Facilities Authority for the purposes specified in this chapter.

1499.27. There is hereby created in state government, the Child Care Facilities Authority. The authority shall consist of nine members as follows:

(a) The State Director of Social Services.

(b) The Superintendent of Public Instruction.

(c) A representative of the Child Development Program Advisory Committee.

(d) Two members appointed by the Senate Rules Committee, one of whom shall be either a child care provider or an individual who is knowledgeable about child care programs, and the other of whom shall be either an architect or an individual who is knowledgeable about the architectural design and development of child care facilities.

(e) Two members appointed by the Speaker of the Assembly, one of whom shall be either a child care provider or an individual who is knowledgeable about child care programs, and the other of whom shall be either an architect or an individual who is knowledgeable about the architectural design and development of child care facilities

(f) Two members appointed by the Governor, one of whom shall be either a child care provider or an individual who is knowledgeable about child care programs, and the other of whom shall be either an architect or an individual who is knowledgeable about the architectural design and development of child care facilities.

The terms of the appointed members shall be four years. Members of the authority shall serve without compensation, but the authority may reimburse its members for necessary expenses incurred in the discharge of their duties The authority shall appoint an executive director, who shall not be a member of the authority, and who shall serve at the pleasure of the authority. The executive director shall receive such compensation as shall be fixed by the authority.

1499.29. The authority shall make loans from funds derived from bonds issued pursuant to this chapter to public or private nonprofit agencies or other entities for the purpose of acquiring, renovating, constructing, and purchasing of equipment for child care facilities. The authority shall adopt guidelines concerning the terms and conditions for the repayment of loans made to eligible applicants under this chapter. The terms and conditions may include a requirement that a loan be secured by a trust deed or a lien equal in priority as a tax lien. In the case of a lien, the authority may, by resolution adopted prior to issuance of bonds under this chapter, covenant for the benefit of bondholders, the state, or

both, to commence and diligently prosecute to completion any foreclosure action regarding delinquent installments of any repayment of loans issued pursuant to this chapter. The resolution may specify a deadline for commencement of the foreclosure action and other terms and conditions as the authority may determine to be reasonable regarding the foreclosure action. The terms and conditions shall include a requirement that the loan principal and interest repaid shall be sufficient to cover the principal of, and interest on, the bonds, and any administrative costs incurred in issuing the bonds, and any surcharge determined by the authority to be necessary or desirable.

1499.30. The authority may use funds in the bond fund to make any payments required as a result of these guarantees or reserve funds commitments, or may borrow funds from the Pooled Money Investment Account for this purpose as authorized in this chapter. The authority shall not make guarantees or reserve commitments pursuant to this chapter to pay out more than the amount of bonds approved for issuance by the finance committee, nor shall its guarantee or reserve commitments constitute an obligation on the part of the authority, the State of California, or any of its political subdivisions, to levy any tax or pay any amount beyond this limit.

1499.30.5. The authority may use money in the bond fund to pay for the cost of administering the program created by this chapter, not to exceed three million dollars ($3,000,000). The authority shall, to the degree feasible, charge loan recipients a surcharge sufficient to eventually recover those amounts advanced for administration, and these recovered amounts shall be placed in the bond fund.

1499.31. (a) Eligible applicants for funding under this chapter include units of local government, nonsectarian profit or nonprofit private agencies or organizations, and state agencies.

(b) To the extent permitted by both the United States and California Constitutions, a church-affiliated child care facility or other sectarian organization shall be eligible to receive loans under this chapter if all of the following conditions are satisfied:

(1) The child care facility funded by the funds loaned is open to any child, regardless of the child's religious beliefs or any other factors related to religion.

(2) No religious instruction is included in the child care program.

(3) The facility where the child care program is located is not utilized in any manner to foster religion.

1499.33. (a) A recipient of a contract for the acquisition of a facility to be used as a child care facility shall assure that the facility shall be used for that purpose for at least 10 years from the date of acquisition.

(b) A recipient of a contract for the renovation of an existing facility to be used as a child care facility shall assure the authority that the facility shall be used for that purpose for the following periods:

(1) Not less than three years from the date the contract terminates, where the amount of the contract does not exceed thirty thousand dollars ($30,000)

(2) If the contract exceeds thirty thousand dollars ($30,000), the fixed period of time shall increase one year for each additional ten thousand dollars ($10,000) or part thereof, to a maximum of seventy-five thousand dollars ($75,000)

(3) For contracts which exceed seventy-five thousand dollars ($75,000), the fixed period of time shall not be less than 10 years.

(c) A recipient of a contract for the construction of a facility to be used as a child care facility shall assure the authority the facility shall be used for that purpose for at least 15 years after completion of construction.

1499.35. (a) The state shall be entitled to recapture a portion of bond funds from the owner of a facility, if within 10 years after acquisition or 15 years after completion of construction, the facility is no longer used for child care activities.

(b) The amount recovered shall be that proportion of the current value of the facility equal to the proportion of bond funds contributed to the original cost. The current value of the facility shall be determined by an agreement between the owner of the facility and the state, or by an action in the court in the jurisdiction in which the facility is located.

1499.37. The authority shall secure the advice of child care resource and referral agencies on the development of estimates of unmet need by geographic area and by special populations, including children in one-parent families, children in low-income families, handicapped children, children with teenage parents, children who are or are at risk of being abused or neglected, sick children, and children in need of emergency or respite care. The authority shall issue guidelines for applicants which shall be consistent with the criteria developed by the authority in consultation with child care resource and referral agencies.

The authority shall review and evaluate proposals for funding from each applicant.

1499.39. Proposals shall do all of the following.

(a) Document the need for a child care facility, or expansion or equipment purchase in order to expand licensed capacity.

(b) Contain a written commitment from applicants that child care services shall be provided in the child care facility.

(c) Contain a match for funding equal to 15 percent of the total amount requested. The authority may waive this matching requirement for public agencies upon verifying that the applicant is unable to secure the required match and that the proposal would provide services to a population with significant unmet needs.

(d) Document the cost effectiveness of the proposal.

(e) Document that the applicant's proposal cannot be funded through any other source of state funds for child care capital outlay

(f) Document that the planned facility shall comply with all laws and regulations applicable to child care facilities provided for pursuant to Chapter 3.4 (commencing with Section 1596.70) and Chapter 3.5 (commencing with Section 1596.90).

(g) Demonstrate to the satisfaction of the authority that it will have sufficient revenues to pay the principal and interest on the loan and to maintain the operation of the child care facility.

1499.41. The authority shall rank the proposals. In ranking the proposals, the authority shall utilize all of the following criteria:

(a) Those planned facilities which are both structurally sound and appropriately designed for use by children.

(b) Those applicants most qualified to operate a child care program.

(c) The extent to which a facility would serve a population with significant unmet need.

1499.43. The authority shall consider any protest or objection regarding a proposed loan, whether submitted before or after the loan is made. However, the

protest shall be filed within the time period established in the request for proposals made pursuant to Section 1499.37. All protests or objections shall be filed in writing. The protesting party shall be notified in writing of the final decisions on the protest, and the notification shall set forth the rationale upon which the decision is based.

Child Day Care Facilities Bond Fund allocations shall be made in such a manner as to provide proportional benefit to all geographic areas of the state. The proportional benefit shall be based on the number of persons under the age of 14 and estimates of unmet need for child care.

Funds not utilized by a geographic area shall be reallocated to other areas with the highest documented need for child care services.

The authority shall allocate funds to assure that at least 30 percent shall be available to private nonprofit agencies and at least 20 percent shall be available to other private agencies.

Article 3. Fiscal Provisions Concerning General Obligation Bonds

1499.50. Bonds in the total amount of thirty million dollars ($30,000,000), in addition to the amount of any refunding bonds, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter, including any subsequent amendment pursuant to Section 1499.01.5, and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

1499.52. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter.

1499.54. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Child Care Finance Committee is hereby created. For purposes of this chapter, the Child Care Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Treasurer, the Controller, the Director of Finance, and the Superintendent of Public Instruction or their designated representatives. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Child Care Facilities Authority is designated the "board."

1499.56. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the actions specified in Section 1499.29, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

1499.58. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds maturing each year, and it is the duty of all officers charged by law

with any duty in regard to the collection of the revenue to do and perform each and every act which is necessary to collect that additional sum.

1499.60. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum which is necessary to carry out the provisions of Section 1499.66, appropriated without regard to fiscal years.

1499.64. All money deposited in the fund pursuant to any provision of law requiring repayments to the state for assistance financed by proceeds of the bonds authorized by this chapter shall be available for transfer to the General Fund. When transferred to the General Fund, this money shall be applied as a reimbursement to the General Fund on account of principal and interest on the bonds which have been paid from the General Fund.

1499.66. For purposes of carrying out this chapter, the Director of Finance may, pursuant to appropriate authority in each annual Budget Act, authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized by the committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the fund and shall be disbursed by the authority in accordance with this chapter. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest. Any moneys made available to the board under this section shall be returned by the board to the General Fund, together with interest in the amount those moneys would have earned in the Pooled Money Investment Account, from the sale of bonds sold for the purpose of carrying out this chapter.

1499.67. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out this chapter. The amount of the loan shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this chapter. The board shall execute any documents pertaining to obtaining and repaying the loan that may be required by the Pooled Money Investment Board. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

1499.68. All proceeds from the sale of bonds, except those derived from premiums and accrued interest, shall be available for the purpose provided in Sections 1499.29 and 1499.30 but shall not be available for transfer to the General Fund to pay principal and interest on bonds. The money in the fund may be expended only as provided in this chapter.

1499.69. Any bonds issued and sold pursuant to this chapter may be refunded by the issuance of refunding bonds in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 2 of Title 2 of the Government Code. Approval by the electors of the state for the issuance of bonds includes the approval of the issuance of any bonds issued to refund any bonds originally issued or any previously issued refunding bonds.

1499.70. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

1499.71. Notwithstanding any other provision of this chapter, or of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), with regard to the proceeds from the sale of bonds authorized by this chapter that are subject to investment under Article 4 (commencing with Section 16470) of Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, the Treasurer may maintain a separate account for investment earnings, order the payment of those earnings to comply with any rebate requirement applicable under federal law, and otherwise direct the use and investment of those proceeds so as to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

LIST OF OFFICERS

LIST OF OFFICERS

1990

STATE CAPITOL AND OTHER BUILDINGS

Sacramento 95814

Name	Office	Residence
George Deukmejian	Governor	Sacramento
Leo McCarthy	Lieutenant Governor	San Francisco
March Fong Eu	Secretary of State	Los Angeles
Gray Davis	Controller	Los Angeles
Thomas Hayes	Treasurer	Carmichael
John K Van de Kamp	Attorney General	Pasadena
Bill Honig	Superintendent of Public Instruction	San Francisco
Bion M Gregory	Legislative Counsel	Sacramento

OFFICE OF GOVERNOR

Michael R Frost	Chief of Staff
Terrance Flanigan	Appointments Secretary
David M Caffrey	Cabinet Secretary
Huston Carlyle, Jr	Legal Affairs Secretary
Allan S Zaremberg	Legislative Secretary
Robert Gore	Press Secretary
Susan G Pedersen	Scheduling Secretary
James W Robinson	Director of Public Affairs and Communications
Margaret A Bengs	Assistant for Constituent Affairs
Susan H Sims	Director of Writing and Research
Robert P Martinez	Director of the Office of Planning and Research
Dr Peter G Mehas	Education Advisor
John McCarthy	Assistant for Community Relations
Greg Kahwajian	Assistant to the Governor

Offices State Capitol, Sacramento 95814

STATE BOARD OF EQUALIZATION

1020 N Street, Sacramento 95814

Name	Office	Residence
William M Bennett	Board Member, First District	Kentfield
Conway H Collis	Board Member, Second District	Los Angeles
Ernest J Dronenburg, Jr	Board Member, Third District	San Diego
Paul Carpenter	Board Member, Fourth District	Los Angeles
Gray Davis (Controller)	Ex Officio Member	Los Angeles
Cindy Rambo	Executive Director	Sacramento

LEGISLATIVE DEPARTMENT

UNITED STATES SENATORS

Alan Cranston (D)
Senate Office Building
Washington, D C 20510
5757 W Century Blvd, #620, Los Angeles 90045
880 Front St, Suite 5-S-31, San Diego 92188
1390 Market St, Suite 918, San Francisco 94102

Pete Wilson (R)
Senate Office Building
Washington, D C 20510
401 "B" Street, Suite 2209, San Diego 92101
11111 Santa Monica, #915, Los Angeles 90025
250 Sutter St, Suite 400, San Francisco 94108
1130 "O" St, #4015, Fresno 93721
4590 MacArthur Blvd, #220, Newport Beach 92660

REPRESENTATIVES IN CONGRESS

Name	Party	District	Counties	Main District Office*
Anderson, Glenn M	D	32	Los Angeles	300 Long Beach Blvd, P O Box 2349, Long Beach 90801
Bates, Jim	D	44	San Diego	3450 College Ave, Room 220, San Diego 92115
Beilenson, Anthony C	D	23	Los Angeles	11000 Wilshire Blvd, Suite 12230, Los Angeles 90024
Berman, Howard L	D	26	Los Angeles	14600 Roscoe Blvd, Suite 506, Panorama City 91402
Bosco, Douglas H	D	1	Del Norte, Humboldt, Lake, Mendocino, Napa, Sonoma	777 Sonoma Ave, Suite 329, Santa Rosa 95404
Boxer, Barbara	D	6	Marin, San Francisco, Solano, Sonoma	3301 Kerner Blvd, Suite 300, San Rafael 94901
Brown, George E, Jr	D	36	Riverside, San Bernardino	657 N La Cadena Dr, Colton 92324
Campbell, Tom	R	12	San Mateo, Santa Clara, Santa Cruz	599 N Mathilda Ave, Suite 105, Sunnyvale 94086
Condit, Gary A	D	15	Fresno, Mariposa, Merced, Stanislaus	415 W 18th Street, Merced 95340
Cox, Christopher	R	40	Orange	4000 MacArthur Blvd, East Tower, Suite 430, Newport Beach 92660
Dannemeyer, William E	R	39	Orange	1235 N Harbor Blvd, Suite 100, Fullerton 92632
Dellums, Ronald V	D	8	Alameda, Contra Costa	201 13th St, Suite 105, Oakland 94617
Dixon, Julian C	D	28	Los Angeles	5100 W Goldleaf Circle, Suite 208, Los Angeles 90056
Dornan, Robert K	R	38	Los Angeles, Orange	12387 Lewis St, Suite 203, Garden Grove 92640
Dreier, David	R	33	Los Angeles	112 N 2nd Ave, Covina 91723
Dymally, Mervyn M	D	31	Los Angeles	306 W Compton Blvd, Suite 200, Compton 90220
Edwards, Don	D	10	Alameda, Santa Clara	1042 W Hedding St, Suite 100, San Jose 95126
Fazio, Vic	D	4	Sacramento, Solano, Yolo	2525 Natomas Park Dr, Suite 330, Sacramento 95833
Gallegly, Elton	R	21	Los Angeles, Ventura	9301 Oakdale Ave, Suite 110, Chatsworth 91311
Hawkins, Augustus F	D	29	Los Angeles	4509 S Broadway, Los Angeles 90037
Herger, Wally	R	2	Butte, Colusa, Glenn, Lake, Napa, Nevada, Shasta, Siskiyou, Sutter, Tehama, Trinity, Yuba	20 Declaration Dr, Suite B, Chico 95926
Hunter, Duncan L	R	45	Imperial, San Diego	366 S Pierce St, El Cajon 92020
Lagomarsino, Robert J	R	19	Santa Barbara, Ventura	314 E Carrillo St, Santa Barbara 93101
Lantos, Tom	D	11	San Mateo	400 El Camino Real, Suite 820, San Mateo 94402
Lehman, Richard H	D	18	Calaveras, Fresno, Madera, Mono, San Joaquin, Tuolumne	2115 Kern St, Suite 210, Fresno 93721
Levine, Mel	D	27	Los Angeles	5250 W Century Blvd, Suite 447, Los Angeles 90045
Lewis, Jerry	R	35	Los Angeles, San Bernardino	1826 Orange Tree Lane, Suite 104, Redlands 92374

REPRESENTATIVES IN CONGRESS—Continued

Name	Party	District	Counties	Main District Office*
Lowery, Bill	R	41	San Diego	880 Front St, Room 6-S-15, San Diego 92188
Martinez, Mathew G	D	30	Los Angeles	400 N Montebello Blvd, Suite 100, Montebello 90640
Matsui, Robert T	D	3	Sacramento	650 Capitol Mall, #8058, Sacramento 95814
McCandless, Al	R	37	Riverside	6529 Riverside Ave, Suite 165, Riverside 92506
Miller, George	D	7	Contra Costa	367 Civic Dr, Suite 14, Pleasant Hill 94523
Mineta, Norman Y	D	13	Santa Clara	1245 S Winchester Blvd, Suite 310, San Jose 95128
Moorhead, Carlos J.	R	22	Los Angeles.	420 N Brand Blvd, Room 304, Glendale 91203
Packard, Ron	R	43	Orange, San Diego	2121 Palomar Airport Rd, Suite 105, Carlsbad 92009
Panetta, Leon E	D	16	Monterey, San Benito, San Luis Obispo, Santa Cruz	380 Alvarado St, Monterey 93940
Pashayan, Charles	R	17	Fresno, Kern, Kings, Tulare	1702 E Bullard Ave, Suite 103, Fresno 93710
Pelosi, Nancy.	D	5	San Francisco	450 Golden Gate Ave, #13470, San Francisco 94102
Rohrabacher, Dana	R	42	Los Angeles, Orange	4332 Cerritos Ave, Suite 100, Los Alamitos 90720
Roybal, Edward R	D	25	Los Angeles	300 N Los Angeles St, #7106, Los Angeles 90012
Shumway, Norman D	R	14	Alpine, Amador, El Dorado, Lassen, Modoc, Nevada, Placer, Plumas, San Joaquin, Sierra	1150 W Robinhood, Suite 1-A, Stockton 95207
Stark, Fortney H (Pete)	D	9	Alameda	22320 Foothill Blvd, Suite 500, Hayward 94541
Thomas, William M	R	20	Inyo, Kern, Los Angeles, San Luis Obispo	4100 Truxtun Ave, Room 220, Bakersfield 93309
Torres, Esteban (Edward)	D	34	Los Angeles	8819 Whittier Blvd, Suite 101, Pico Rivera 90660
Waxman, Henry A	D	24	Los Angeles	8425 W 3rd St, Los Angeles 90048

* During Sessions of Congress, mail for Members of the Senate may be addressed Senate Office Building, Washington, D C 20510, and Members of the House of Representatives House Office Building, Washington, D C 20515

THE STATE LEGISLATURE

MEMBERS OF THE SENATE

Name	Occupation	Party	Dist	Counties	District Address
Alquist, Alfred E	Full-time Legislator	D	13	Santa Clara	100 Paseo de San Antonio, San Jose 95113
Ayala, Ruben S	Insurance .	D	34	Los Angeles, San Bernardino	505 N Arrowhead Ave , Suite 100, San Bernardino 92401, 2545 S Euclid Ave , Ontario 91762
Bergeson, Marian	Full-time Legislator	R	37	Imperial, Orange, Riverside, San Diego	140 Newport Center Dr , Suite 120, Newport Beach 92660
Beverly, Robert G	Attorney	R	29	Los Angeles	1611 S Pacific Coast Highway, Suite 102, Redondo Beach 90277, 638 S Beacon St , Suite 508, San Pedro 90731
Boatwright, Daniel	Attorney	D	7	Contra Costa	1000 Burnett Ave , Suite 130, Concord 94520, 420 W Third Street, Antioch 94509, 2560 MacDonald Ave , Richmond 94804, 2680 Bishop Dr , Suite 105, San Ramon 94583
[1] Calderon, Charles M	Attorney	D	26	Los Angeles	11001 E Valley Mall, Suite 204, El Monte 91731
[2] Campbell, William	Full-time Legislator	R	31	Los Angeles, Orange	1661 Hanover Rd , Suite 203, City of Industry 91748, 23161 Lake Center Dr , Suite 205, El Toro 92630
Craven, William A	Full-time Legislator	R	38	San Diego	2121 Palomar Airport Rd , Suite 100, Carlsbad 92008
Davis, Ed	Full-time Legislator	R	19	Los Angeles, Santa Barbara, Ventura	11145 Tampa Ave , Suite 21B, Northridge 91326
Deddeh, Wadie P	Full-time Legislator	D	40	San Diego	430 Davidson St , Suite C, Chula Vista 92010
Dills, Ralph C	Full-time Legislator	D	30	Los Angeles	16921 S Western Ave , Suite 201, Gardena 90247
Doolittle, John T	Attorney	R	1	El Dorado, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Sierra, Siskiyou, Sutter, Trinity, Yolo, Yuba	720 Sunrise Ave , Suite 110D, Roseville 95661
[3] Garamendi, John	Rancher-Businessman	D	5	Alpine, Amador, Calaveras, Mono, Sacramento, San Joaquin, Tuolumne, Yolo	31 East Channel St , Room 440, Stockton 95202
Green, Cecil	Full-time Legislator	D	33	Los Angeles, Orange	17100 Pioneer Blvd , Suite 170, Artesia 90701
Greene, Bill	Full-time Legislator	D	27	Los Angeles	9300 S Broadway, Los Angeles 90003
Greene, Leroy F	Civil Engineer	D	6	Sacramento	P O Box 254646, Sacramento 95825
Hart, Gary	Educator.	D	18	Los Angeles, Santa Barbara, Ventura	1216 State St , Room 507, Santa Barbara 93101, 801 S Victoria Blvd , Suite 301, Ventura 93003, 21600 Oxnard St , Suite 540, Woodland Hills 91367
[4] Hill, Frank	Full-time Legislator	R	31	Los Angeles, Orange	15820 Whittier Blvd , Suite H, Whittier 90603, 111 Pacifica, Suite 210, Irvine 92718
Keene, Barry	Attorney	D	2	Del Norte, Humboldt, Mendocino, Solano, Sonoma	317 3rd St , Suite 6, Eureka 95501, 631 Tennessee St , Vallejo 94590
[5] Killea, Lucy L	Full-time Legislator	D	39	San Diego	2550 5th Ave , Suite 152, San Diego 92103
Kopp, Quentin L	Attorney At Law	I	8	San Francisco, San Mateo	363 El Camino Real, Suite 205, South San Francisco 94080, 4830 Mission St , #101, San Francisco 94112
Leonard, Bill	Legislator/Businessman	R	25	Inyo, Los Angeles, San Bernardino	400 North Mountain Ave , Suite 109, Upland 91786
Lockyer, Bill	Full-time Legislator	D	10	Alameda	22300 Foothill Blvd , Suite 415, Hayward 94541, 4725 Thornton Ave , Suite 104, Fremont 94536, 7475 Starward Dr , Suite 103, Dublin 94568

MEMBERS OF THE SENATE—Continued

Name	Occupation	Party	Dist	Counties	District Address
Maddy, Ken	Attorney	R	14	Fresno, Madera, Mariposa, Merced, Monterey, San Luis Obispo, Santa Barbara	3475 West Shaw Ave, Suite 105, Fresno 93711, 19901 W 1st Street, Suite 2, Hilmar 95324, 895 Napa Ave, #A-6, Morro Bay 93442
Marks, Milton	Attorney	D	3	Marin, San Francisco	711 Van Ness Ave, Suite 310, San Francisco 94102, 30 N San Pedro Rd, Suite 160, San Rafael 94903
McCorquodale, Dan	Educator	D	12	Santa Clara, Stanislaus	4 North 2nd St, Suite 590, San Jose 95113, 1020 15th St, Suite B, Modesto 95354
Mello, Henry	Farmer/ Businessman	D	17	Monterey, San Benito, Santa Clara, Santa Cruz	1200 Aguajito Road, Monterey 93940, 701 Ocean Street, Room 318A, Santa Cruz 95060, 240 Church Street, Room 115, Salinas 93901, 92 Fifth Street, Gilroy 95020
[6] Montoya, Joseph B	Full-time Legislator	D	26	Los Angeles	11001 E Valley Mall, Suite 204, El Monte 91731
Morgan, Rebecca Q	Full-time Legislator	R	11	San Mateo, Santa Clara	750 Menlo Ave, Suite 100, Menlo Park 94025
Nielsen, Jim	Farmer/Farm Management Consultant	R	4	Butte, Colusa, Glenn, Lake, Napa, Shasta, Sonoma, Tehama	1074 East Ave, Suite N, Chico 95926, 650 Imperial Way, Suite 103, Napa 94559, 2400 Washington Ave, Suite 120, Redding 96001, 50 Santa Rosa Ave, Suite 305, Santa Rosa 95404
Petris, Nicholas C	Attorney	D	9	Alameda, Contra Costa	1800 Harrison, Suite 900, Oakland 94612
Presley, Robert B	Law Enforcement	D	36	Riverside	3600 Lime St, Room 111, Riverside 92501, 72-811 Highway 111, Suite 201, Palm Desert 92260
Robbins, Alan	Attorney at Law	D	20	Los Angeles	6150 Van Nuys Blvd, Suite 400, Van Nuys 91401
Roberti, David	Attorney	D	23	Los Angeles	3800 Barham Blvd, Suite 218, Hollywood 90068
Rogers, Don	Geological Consultant	R	16	Kern, Kings, Los Angeles, San Bernardino	1326 H St, Bakersfield 93301
Rosenthal, Herschel	Full-time Legislator	D	22	Los Angeles	1950 Sawtelle Blvd, Suite 210, Los Angeles 90025
Royce, Ed	Businessman	R	32	Orange	305 North Harbor, Suite 300, Fullerton 92632
Russell, Newton R	Insurance	R	21	Los Angeles	401 N Brand, Suite 424, Glendale 91203
Seymour, John	Realtor/ Businessman	R	35	Orange	2150 Town Centre Place, Suite 205, Anaheim 92806
[7] Stirling, Larry	Legislator/ Attorney	R	39	San Diego	4669 Murphy Canyon Rd, Suite 239, San Diego 92123
Torres, Art	Full-time Legislator	D	24	Los Angeles	101 S Broadway, Suite 2105, Los Angeles 90012
Vuich, Rose Ann	Farmer/ Accountant	D	15	Fresno, Tulare	124 West Shaw, Suite B, Fresno 93704
Watson, Diane	Educator-School Psychologist	D	28	Los Angeles	4401 Crenshaw Blvd, Suite 300, Los Angeles 90043

[1] Senator Calderon oath of office April 16, 1990
[2] Senator Campbell resigned December 15, 1989
[3] Senator Garamendi resigned September 3, 1990
[4] Senator Hill oath of office April 16, 1990
[5] Senator Killea oath of office December 19, 1989
[6] Senator Montoya resigned February 10, 1990
[7] Senator Stirling resigned September 29, 1989

OFFICERS AND ATTACHÉS OF THE SENATE

Title	Name	Capitol Office
President of Senate	Leo McCarthy	1114 State Capitol
President pro Tempore	David Roberti	205 State Capitol
Secretary of Senate	Darryl R White	3044 State Capitol
Sergeant at Arms	Tony Beard	3030 State Capitol
Chaplain	Father Leo McAlister	Senate Chamber
Chief Assistant Secretary	John W Rovane IV	3044 State Capitol
Minute Clerk	Walter J Little III	3044 State Capitol
History Clerk	David H Kneale	3044 State Capitol
Assistant Secretary	Steve Hummelt	3044 State Capitol
File Clerk	Carl Bomar	3044 State Capitol
Engrossing and Enrolling Clerk	Marie Harlan	B30 State Capitol

MEMBERS OF THE ASSEMBLY

Name	Occupation	Party	Dist	Capitol Office	Counties	District Office Mailing Address
Allen, Doris	Small Business Owner	R	71	4153	Orange.	5252 Orange Ave, Suite 100, Cypress 90630
Areias, Rusty	Dairy Farmer	D	25	4139	Merced, Monterey, San Benito, Santa Clara	140 Central Ave, Salinas 93901
Bader, Charles W	Businessman	R	65	3147	Los Angeles, San Bernardino.	203 West G St, Ontario 91762
Baker, William	Businessman	R	15	3013	Alameda, Contra Costa	1801 No California Blvd, Suite 103, Walnut Creek 94596
Bane, Tom	Full-time Legislator	D	40	3152	Los Angeles	5430 Van Nuys Blvd, Suite 206, Van Nuys 91401
Bates, Tom	Full-time Legislator	D	12	446	Alameda, Contra Costa	1414 Walnut St, Suite 9, Berkeley 94709
Bentley, Carol	Full-time Legislator	R	77	5126	San Diego	2755 Navaho Rd, El Cajon 92020
Bronzan, Bruce	Full-time Legislator	D	31	448	Fresno.	2550 Mariposa Mall, Suite 5006, Fresno 93721
Brown, Dennis L	Investment Banker	R	58	4162	Los Angeles, Orange	1945 Palo Verde Ave, Suite 203, Long Beach 90815
Brown, Willie L, Jr	Attorney	D	17	219	San Francisco	1388 Sutter St, Suite 1002, San Francisco 94109
Burton, John L	Attorney	D	16	2179	San Francisco	350 McAllister St, Suite 1064, San Francisco 94102
[1] Calderon, Charles M	Attorney	D	59	6011	Los Angeles	1712 West Beverly Blvd, Suite 201, Montebello 90640
Campbell, Robert	Insurance Broker	D	11	2163	Contra Costa	2901 MacDonald Ave, Richmond 94804
[2] Cannella, Sal	Full-time Legislator	D	27	4208	Merced, Stanislaus	950 10th St, Suite 8, Modesto 95354
Chacon, Peter R	Educator	D	79	5119	San Diego	1129 G Street, San Diego 92101
Chandler, Chris	Attorney	R	3	4017	Butte, Colusa, Nevada, Sierra, Sutter, Yuba	1227 Bridge St, Suite E, Yuba City 95991
Clute, Steve	Full-time Legislator	D	68	4167	Riverside	3600 Lime St, Suite 410, Riverside 92501
Connelly, Lloyd G	Legislator/ Attorney	D	6	2176	Sacramento	2705 K St, Suite 6, Sacramento 95816
Cortese, Dominic L	Farmer/ Businessman	D	24	6031	Santa Clara	100 Paseo de San Antonio, Suite 300, San Jose 95113
Costa, Jim	Full-time Legislator	D	30	2158	Fresno, Kings, Madera, Merced	1111 Fulton Mall, Suite 914, Fresno 93721
Eastin, Delaine	Full-time Legislator	D	18	2196	Alameda, Santa Clara	39650 Liberty St, Suite 160, Fremont 94538
Eaves, Jerry	Full-time Legislator.	D	66	5175	San Bernardino	224 North Riverside Ave, Suite A, Rialto 92376
Elder, Dave	Full-time Legislator	D	57	4126	Los Angeles	245 West Broadway, Suite 300, Long Beach 90802
Epple, Bob	Attorney	D	63	5128	Los Angeles	8221 E 3rd St, Suite 206, Downey 90241
Farr, Sam	Full-time Legislator	D	28	3120	Monterey, Santa Cruz	1200 Aguajito Rd, Monterey 93940
Felando, Gerald N	Dr of Dental Surgery	R	51	5155	Los Angeles	3838 Carson Street, Suite 110, Torrance 90503
Ferguson, Gil	Business Owner	R	70	2016	Orange	4667 MacArthur Blvd, Suite 305, Newport Beach 92660
Filante, Bill	Physician	R	9	5135	Marin, Sonoma	30 N San Pedro Rd, Suite 195, San Rafael 94903
Floyd, Richard E	Full-time Legislator	D	53	4016	Los Angeles	16921 South Western Ave, Suite 101, Gardena 90247
Frazee, Robert C	Businessman	R	74	6028	Orange, San Diego	3088 Pio Pico Dr, Suite 200, Carlsbad 92008
Friedman, Terry B	Attorney	D	43	4117	Los Angeles	14144 Ventura Blvd, Suite 100, Sherman Oaks 91423
Frizzelle, Nolan	Optometrist	R	69	3098	Orange	17195 Newhope Street, Suite 201, Fountain Valley 92708
Hannigan, Thomas	Realtor	D	4	3104	Solano, Yolo	844 Union Ave, Suite A, Fairfield 94533
Hansen, Bev	Legislator/ Business-woman	R	8	3151	Lake, Napa, Sonoma, Yolo	50 Santa Rosa Ave, Suite 301, Santa Rosa 95404

MEMBERS OF THE ASSEMBLY—Continued

Name	Occupation	Party	Dist	Capitol Office	Counties	District Office Mailing Address
Harris, Elihu M	Attorney	D	13	2148	Alameda	405 14th St, Suite 411, Oakland 94612
Harvey, Trice	Full-time Legislator.	R	33	4177	Kern, Tulare	2222 E Street, Suite 3, Bakersfield 93301
Hauser, Dan	Full-time Legislator	D	2	2003	Del Norte, Humboldt, Mendocino, Sonoma	State Building, 50 D St Suite 450, Santa Rosa 95404
Hayden, Tom	Author-Teacher	D	44	3091	Los Angeles	227 Broadway, Suite 300, Santa Monica 90401
[3] Hill, Frank	Legislator/ Businessman	R	52	4130	Los Angeles	15111 East Whittier Blvd, Suite 385, Whittier 90603
Hughes, Teresa	Educator	D	47	3123	Los Angeles	3375 South Hoover Ave, Suite F, Los Angeles 90007
[4] Hunter, Tricia	Nurse	R	76	2002	Riverside, San Diego	333 South Juniper, Suite 214, Escondido 92025
Isenberg, Phillip	Attorney	D	10	6005	Contra Costa, Sacramento, San Joaquin	1215 15th St, Suite 102, Sacramento 95814
Johnson, Ross	Attorney	R	64	2114	Orange	1501 N Harbor Blvd, Suite 201, Fullerton 92635
Johnston, Pat	Full-time Legislator	D	26	4112	San Joaquin	31 East Channel St, Room 306, Stockton 95202
Jones, Bill	Businessman/ Rancher	R	32	5160	Fresno, Madera, Mariposa,Tulare	1441 South Mooney Blvd, Suite D, Visalia 93277
Katz, Richard	Small Businessman	D	39	3146	Los Angeles	9140 Van Nuys Blvd, Suite 109, Panorama City 91402
Kelley, David G	Citrus Rancher	R	73	4158	Riverside	6840 Indiana Ave, Suite 150, Riverside 92506
[5] Killea, Lucy	Full-time Legislator	D	78	3173	San Diego	2550 5th Ave, Suite 152, San Diego 92103-6691
Klehs, Johan	Full-time Legislator	D	14	2013	Alameda	2450 Washington Ave, Suite 270, San Leandro 94577
La Follette, Marian	Full-time Legislator	R	38	3132	Los Angeles	11145 Tampa Ave, Suite 17A, Northridge 91326
Lancaster, Bill	Full-time Legislator	R	62	5158	Los Angeles, San Bernardino	145 East Badillo Street, Covina 91723
Lempert, Ted	Attorney	D	20	2137	San Mateo	1650 Borel Place, Suite 229, San Mateo 94402
Leslie, Tim	Legislator/ Businessman	R	5	4116	Placer, Sacramento	1098 Melody Lane, Suite 301, Roseville 95678
Lewis, John R	Businessman	R	67	5164	Orange	1940 N Tustin Ave, No 102, Orange 92665
Margolin, Burt M	Full-time Legislator	D	45	3173	Los Angeles	8425 West 3rd St, Suite 406, Los Angeles 90048
[6] Marston, Jeff	Small Business Owner	R	78	5126	San Diego	1350 Front St, Room 6038, San Diego 92101
McClintock, Tom	Full-time Legislator	R	36	4102	Ventura	350 North Lantana St, Suite 222, Camarillo 93010
Mojonnier, Sunny	Flower Grower/ Shipper	R	75	4005	San Diego	3368 Governor Dr, Suite C, San Diego 92122
Moore, Gwen	Full-time Legislator	D	49	2117	Los Angeles	3683 Crenshaw Blvd, 5th Floor, Los Angeles 90016
Mountjoy, Richard	General Contractor	R	42	2175	Los Angeles	208 North 1st Ave, Arcadia 91006
Murray, Willard	Full-time Legislator	D	54	3141	Los Angeles	16444 South Paramount Blvd, Suite 100, Paramount 90723
Nolan, Pat	Attorney	R	41	4164	Los Angeles	143 South Glendale Ave, Suite 208, Glendale 91205
O'Connell, Jack	Teacher	D	35	2141	Santa Barbara, Ventura	228 W Carrillo, Suite F, Santa Barbara 93101
Peace, Steve	Businessman	D	80	2130	Imperial, San Diego	430 Davidson, Suite B, Chula Vista 92010
Polanco, Richard	Full-time Legislator	D	55	2188	Los Angeles	110 North Ave 56, Los Angeles 90042
Pringle, Curt	Businessman	R	72	4015	Orange	12822 Garden Grove Blvd, Suite A, Garden Grove 92643
Quackenbush, Charles W	Businessman	R	22	2111	Santa Clara	456 El Paseo de Saratoga, San Jose 95130

MEMBERS OF THE ASSEMBLY—Continued

Name	Occupation	Party	Dist	Capitol Office	Counties	District Office Mailing Address
Roos, Mike	Full-time Legislator	D	48	3160	Los Angeles	625 South New Hampshire Ave, Suite 100, Los Angeles 90005
Roybal-Allard, Lucille	Full-time Legislator	D	56	5156	Los Angeles	5261 East Beverly Blvd, Los Angeles 90022
[7] Seastrand, Eric	Stockbroker	R	29	4144	Monterey, San Luis Obispo, Santa Barbara	523 Higuera St, San Luis Obispo 93401
Sher, Byron	Law Professor	D	21	2136	San Mateo, Santa Clara	785 Castro St, Suite C, Mountain View 94041
Speier, Jackie	Attorney	D	19	4140	San Francisco, San Mateo	220 South Spruce St, Suite 101, South San Francisco 94080
Statham, Stan	Businessman	R	1	4098	Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, Trinity	429 Red Cliff Dr, Suite 200, Redding 96002
Tanner, Sally	Full-time Legislator	D	60	4146	Los Angeles	11100 Valley Blvd, Suite 106, El Monte 91731
Tucker, Curtis R, Jr	Full-time Legislator	D	50	2174	Los Angeles	P O Box 6500, 1 Manchester Blvd, Inglewood 90306
Vasconcellos, John	Lawyer	D	23	6026	Santa Clara	100 Paseo de San Antonio, #106, San Jose 95113
Waters, Maxine	Full-time Legislator	D	48	5016	Los Angeles	7900 S Central Ave, Los Angeles 90001
Waters, Norman S	Rancher/ Legislator	D	7	5136	Alpine, Amador, Calaveras, El Dorado, Mono, Placer, Sacramento, Tuolumne	250 Main St, Placerville 95667
Woodruff, Paul	Businessman	R	61	4009	San Bernardino	300 East State St, Suite 480, Redlands 92373
Wright, Cathie	Full-time Legislator	R	37	3126	Los Angeles, Santa Barbara, Ventura	250 E Easy St, Suite 7, Simi Valley 93065
Wyman, Phillip D	Rancher/ Attorney	R	34	2170	Inyo, Kern, Los Angeles	5393 Truxtun Ave, Bakersfield 93309

[1] Assembly Member Calderon resigned April 16, 1990
[2] Assembly Member Cannella oath of office February 1, 1990
[3] Assembly Member Hill resigned April 16, 1990
[4] Assembly Member Hunter oath of office October 10, 1989
[5] Assembly Member Killea resigned December 18, 1989
[6] Assembly Member Marston oath of office June 7, 1990
[7] Assembly Member Seastrand died in office June 20, 1990

OFFICERS OF THE ASSEMBLY

Name	Title	Mailing Address
Brown, Willie L, Jr	Speaker	1388 Sutter St, Suite 1002, San Francisco 94109
Roos, Mike	Speaker pro Tempore	625 South New Hampshire Ave, Suite 100, Los Angeles 90005
O'Connell, Jack	Assistant Speaker pro Tempore	Studio 127, El Paseo, Santa Barbara 93101
Hannigan, Thomas	Majority Floor Leader	844 Union Ave, Suite A, Fairfield 94533
Johnson, Ross	Minority Floor Leader	1901 North Harbor Blvd, Suite 201, Fullerton 92635
Kidney, R Brian	Chief Clerk	State Capitol, Room 3196, Sacramento 95814
Bell, Charles E	Sergeant at Arms	State Capitol, Room 3171, Sacramento 95814
Boswell, Hamilton T	Chaplain	225 Water St, Point Richmond 94801

STATE JUDICIAL DEPARTMENT

SUPREME COURT JUSTICES AND OFFICERS

Terms of Court

Sessions of court are held at San Francisco, Los Angeles and Sacramento

JUSTICES

Hon Malcolm M Lucas	Chief Justice
Hon Allen E. Broussard	Associate Justice
Hon. Stanley Mosk	Associate Justice
Hon Edward A Panelli	Associate Justice
Hon Joyce L. Kennard	Associate Justice
Hon. Armand Arabian	Associate Justice
Hon Marvin R. Baxter	Associate Justice
Robert F Wandruff	Clerk/Administrator

COURTS OF APPEAL

FIRST APPELLATE DISTRICT

DIVISION ONE

Hon Gary E. Strankman	Presiding Justice
Hon William A Newsom	Associate Justice
Hon Robert Dossee	Associate Justice
Hon William D Stein	Associate Justice

DIVISION TWO

Hon J. Anthony Kline	Presiding Justice
Hon Jerome A Smith	Associate Justice
Hon John E Benson	Associate Justice
Hon J Clinton Peterson	Associate Justice

DIVISION THREE

Hon Clinton W White	Presiding Justice
Hon Ming Chin	Associate Justice
Hon Robert Merrill	Associate Justice
Hon Kathryn Werdegar	Associate Justice

DIVISION FOUR

Hon Carl W Anderson	Presiding Justice
Hon Marcel B Poche	Associate Justice
Hon Timothy Riordan	Associate Justice
Hon James F Perley	Associate Justice

DIVISION FIVE

Hon Harry W Low	Presiding Justice
Hon Donald B King	Associate Justice
Hon. Zerne P Haning	Associate Justice
Ron D Barrow	Clerk

303 Second Street, Suite 600, Marathon Plaza—South Tower San Francisco 94107

SECOND APPELLATE DISTRICT

DIVISION ONE

Hon Vaino Spencer	Presiding Justice
Hon Miriam A Vogel	Associate Justice
Hon Robert R Devich	Associate Justice
Hon Reuben A Ortega	Associate Justice
Robert N Wilson	Clerk

300 So Spring St, Los Angeles 90013

DIVISION TWO

Hon Lester Wm Roth	Presiding Justice
Hon Michael G Nott	Associate Justice
Hon Donald N Gates	Associate Justice
Hon. Morio L Fukuto	Associate Justice
Robert N Wilson	Clerk

300 So Spring St, Los Angeles 90013

Division Three

Hon. Joan D Klein .. Presiding Justice
Hon George Danielson .. Associate Justice
Hon. Edward A Hinz .. Associate Justice
Hon H. Walter Croskey .. Associate Justice
Robert N Wilson .. Clerk

300 So. Spring St , Los Angeles 90013

Division Four

Hon Arleigh Woods .. Presiding Justice
Hon Norman L. Epstein .. Associate Justice
Hon. Ronald M. George .. Associate Justice
Hon. Jack E Goertzen .. Associate Justice
Robert N Wilson .. Clerk

300 So. Spring St , Los Angeles 90013

Division Five

Hon Campbell M Lucas .. Presiding Justice
Hon. Herbert L. Ashby .. Associate Justice
Hon Roger W Boren .. Associate Justice
Hon Paul R Turner .. Associate Justice
Robert N Wilson .. Clerk

300 So Spring St., Los Angeles 90013

Division Six

Hon Steven Stone .. Presiding Justice
Hon Arthur Gilbert .. Associate Justice
Hon Kenneth R Yegan .. Associate Justice
Robert N Wilson .. Clerk

1290 So Victoria Ave , Ventura 93003

Division Seven

Hon Mildred L. Lillie .. Presiding Justice
Hon Earl Johnson .. Associate Justice
Hon Fred Woods .. Associate Justice
Robert N Wilson .. Clerk

300 So Spring St , Los Angeles 90013

THIRD APPELLATE DISTRICT

Hon Robert K Puglia .. Presiding Justice
[1] Hon Hugh A Evans .. Associate Justice
Hon Coleman A. Blease .. Associate Justice
Hon Frances N Carr .. Associate Justice
Hon Keith F Sparks .. Associate Justice
Hon Richard M Sims III .. Associate Justice
Hon Fred W Marler, Jr. .. Associate Justice
Hon Rodney Davis .. Associate Justice
Hon Arthur G Scotland .. Associate Justice
Hon. Joseph A. DeCristoforo .. Associate Justice
[2] Hon George W Nicholson .. Associate Justice
Robert L Liston .. Clerk

[1] Retired July, 1990
[2] Appointed August, 1990.

100 Library and Courts Building, Sacramento 95814

FOURTH APPELLATE DISTRICT

Division One

Hon Daniel J Kremer .. Presiding Justice
Hon Howard B Wiener .. Associate Justice
Hon Don R Work .. Associate Justice
Hon William L. Todd, Jr .. Associate Justice
Hon Patricia D Benke .. Associate Justice
Hon Richard D Huffman .. Associate Justice
Hon Charles W Froehlich .. Associate Justice
Hon Gilbert Nares .. Associate Justice
Stephen M Kelly .. Clerk

750 B St , Suite 500, San Diego 92101

DIVISION TWO

Hon Manuel A Ramirez	Presiding Justice
Hon Howard B Dabney	Associate Justice
Hon Thomas E. Hollenhorst	Associate Justice
Hon Robert J Timlin	Associate Justice
Hon Art W McInster	Associate Justice
Hon E Douglas McDaniel	Associate Justice
Stephen M Kelly	Clerk

303 W Fifth Street, San Bernardino 92401

DIVISION THREE

Hon Harmon G Scoville	Presiding Justice
Hon Thomas F Crosby	Associate Justice
Hon Edward J Wallin	Associate Justice
Hon Sheila Prell Sonenshine	Associate Justice
Hon Henry T Moore, Jr	Associate Justice
Stephen M Kelly	Clerk

925 No Spurgeon St, Santa Ana 92701

FIFTH APPELLATE DISTRICT

Hon Hollis G Best	Presiding Justice
Hon Robert L Martin	Associate Justice
Hon William A Stone	Associate Justice
Hon James A Ardaiz	Associate Justice
Hon Nickolas J Dibiaso	Associate Justice
Hon Steven M Vartabedian	Associate Justice
Hon James F Thaxter	Associate Justice
Hon Thomas A Harris	Associate Justice
Hon Timothy S Buckley	Associate Justice
Kevin A Swanson	Clerk

2525 Capitol Street, Fresno 93721

SIXTH APPELLATE DISTRICT

Hon Nat A Agliano	Presiding Justice
Hon Patricia Bamattre-Manoukian	Associate Justice
Hon Walter P Capaccioli	Associate Justice
Hon Christopher C Cottle	Associate Justice
Hon Franklin D Elia	Associate Justice
Hon Eugene M Premo	Associate Justice
Michael J Yerly	Clerk

333 West Santa Clara Street, Suite 1060, San Jose 95113

PUBLIC UTILITIES COMMISSION

G Mitchell Wilk	President
Stanley W Hulett	Commissioner
Frederick R Duda	Commissioner
John B Ohanian	Commissioner
Patricia M Eckert	Commissioner
Neal J Shulman	Executive Director

WORKERS' COMPENSATION APPEALS BOARD

Donna Little	Chairman
Jane Morgan O'Neill	Acting Commissioner
Richard C Lavermore	Commissioner
John R Sullivan	Commissioner
John Oda	Commissioner
Jacob Margosian	Commissioner
Arthur Costamagna	Commissioner
Diana Marshall	Commissioner

TABLE OF LAWS ENACTED

TABLE OF RESOLUTIONS AND PROPOSED CONSTITUTIONAL AMENDMENTS ADOPTED BY THE LEGISLATURE

1990

1989–90 Regular Session

1989–90 First Extraordinary Session

TABLE OF LAWS ENACTED

1990

1989–90 Regular Session

Ch No	A B No	S B No	Author
1	99	—	Bronzan and Senator Morgan (Principal coauthors Assembly Members Epple, Friedman, Peace, Maxine Waters, and Norman Waters, and Senator Watson) (Coauthors Assembly Members Bader, Bane, Bates, Willie Brown, Calderon, Campbell, Chacon, Clute, Cortese, Costa, Eastin, Eaves, Elder, Farr, Filante, Harris, Hauser, Hayden, Hunter, Isenberg, Johnston, Katz, Klehs, Lempert, Margolin, Mojonnier, Moore, Murray, O'Connell, Quackenbush, Roos, Roybal-Allard, Sher, Speier, Statham, Tanner, Tucker, and Vasconcellos) (Coauthors Senators Alquist, Ayala, Bergeson, Beverly, Boatwright, Davis, Deddeh, Dills, Garamendi, Cecil Green, Leroy Greene, Keene, Killea, Lockyer, Marks, Montoya, Presley, Robbins, Rosenthal, Seymour, Torres, and Vuich)
2	—	1315	Marks (Principal coauthor Senator Rosenthal)
3	—	1007	Rosenthal
4	—	865	Marks
5	—	842	Presley (Principal coauthor Assembly Member Murray) (Coauthor Assembly Member Friedman)
6	—	147	Hart (Coauthor Senator Morgan)
7	1065	—	Mojonnier
8	—	1201	Morgan (Principal coauthor Senator Garamendi) (Principal coauthors Assembly Members Farr and Quackenbush) (Coauthors Senators Alquist, Bergeson, Cecil Green, Keene, McCorquodale, Nielsen, Presley, Robbins, Seymour, and Torres) (Coauthors Assembly Members Allen, Bradley, Eastin, Epple, Filante, Hansen, La Follette, Lempert, O'Connell, Statham, Vasconcellos, and Wyman)
9	497	—	Connelly (Coauthor Assembly Members Friedman, Harris, Klehs, O'Connell, and Peace)
10	149	—	Allen
11	1972	—	Tucker
12	250	—	Vasconcellos
13	546	—	Moore
14	1671	—	Bentley
15	—	1027	Petris
16	1791	—	Katz and Clute
17	366	—	Dennis Brown
18	662	—	Murray
19	1663	—	the Assembly Committee on Housing and Community Development (as presented by Assembly Member Hauser on behalf of the committee)
20	1674	—	Mojonnier and Pringle
21	—	1331	Presley
22	1858	—	Farr (Coauthors Senators Morgan and Torres)
23	—	1250	Torres (Principal coauthor Assembly Member Cortese) (Coauthors Senators Bergeson, Cecil Green, Lockyer, McCorquodale, Petris, Robbins, and Vuich) (Coauthors Assembly Members Areias, Bane, Bates, Burton, Chacon, Costa, Eastin, Eaves, Elder, Farr, Filante, Hayden, Hughes, Lempert, O'Connell, Roybal-Allard, Speier, and Vasconcellos)
24	—	173	Leroy Greene, Alquist, Ayala, Bergeson, Campbell, Davis, Bill Greene, Kopp, Marks, McCorquodale, Presley, Seymour, and Watson (Coauthors Assembly Members Bader, Bane, Chandler, Clute, Costa, Eastin, Eaves, Farr, Filante, Friedman, Hansen, Harris, Hauser, Hunter, La Follette, Lempert, Leslie, Murray, O'Connell, Roos, Woodruff, and Wyman)
25	—	473	Mello
26	—	1008	Rosenthal
27	572	—	Chacon
28	1264	—	Dennis Brown
29	1594	—	Tucker (Principal coauthors Senators Bergeson and Beverly)
30	29	—	Klehs
31	1259	—	Hauser
32	1365	—	Norman Waters
33	—	1372	Petris
34	1328	—	Costa
35	—	937	Vuich
36	1706	—	Bates
37	1334	—	Peace
38	—	331	McCorquodale
39	1235	—	Hauser
40	1666	—	Wright
41	664	—	Murray
42	1209	—	Nolan
43	1577	—	Murray
44	1648	—	Leslie (Principal coauthor Assembly Member Wyman)
45	1893	—	Areias, Calderon, Ferguson, Filante, Frizzelle, Hansen, Harvey, Jones, Mojonnier, Murray, Peace, and Woodruff (Coauthors Senators Doolittle, Nielsen, Seymour, and Torres)
46	—	1176	Royce
47	—	351	Alquist
48	107	—	La Follette
49	1498	—	Quackenbush
50	—	1412	Maddy
51	1154	—	Isenberg (Coauthors Assembly Members Baker, Bronzan, and Norman Waters) (Coauthors Senators Keene, Maddy, and Rosenthal)
52	—	943	Leroy Greene
53	—	1030	Presley
54	—	1288	Beverly
55	—	1564	Kopp
56	—	1609	Davis, Alquist, Beverly, Kopp, McCorquodale, Presley, Robbins, and Seymour (Coauthors Assembly Members Bane, Chacon, Chandler, Clute, Eastin, Farr, Filante, Hansen, O'Connell, Peace, Sher, and Statham)
57	365	—	Mojonnier (Coauthor Senator Leroy Greene)
58	424	—	Norman Waters
59	2201	—	Hill
60	—	88	Garamendi
61	—	152	Garamendi
62	264	—	Lancaster, Filante, Hauser, Pringle, Baker, Hansen, and Roos (Principal coauthor Assembly Member Clute) (Coauthor Senator Dills)
63	1317	—	Norman Waters
64	1545	—	Cortese
65	1790	—	Katz
66	1827	—	Peace
67	2064	—	Clute (Coauthor Assembly Member Harvey)
68	2084	—	Murray
69	2297	—	Cortese
70	2358	—	Bradley
71	2498	—	Norman Waters
72	—	122	Leroy Greene
73	—	819	Robbins
74	—	1243	Garamendi

TABLE OF LAWS ENACTED—Continued

1990

Ch No	AB No	SB No	Author
75	—	1758	Morgan
76	—	746	Royce
77	—	1464	Rosenthal
78	129	—	Floyd
79	759	—	Friedman
80	1265	—	Dennis Brown (Coauthor Assembly Member Peace)
81	2046	—	Murray
82	—	655	Presley
83	54	—	Elder
84	—	1738	Roberti, Maddy, Doolittle, and Keene (Principal coauthor Senator Mello) (Coauthors Senators Alquist, Ayala, Bergeson, Beverly, Boatwright, Craven, Deddeh, Garamendi, Cecil Green, Killea, Kopp, Leonard, Lockyer, Marks, McCorquodale, Morgan, Nielsen, Presley, Torres, and Petris) (Coauthors Assembly Members Willie Brown, Chacon, Cortese, Eaves, Epple, Frazee, Hannigan, Harris, Johnson, Katz, Lempert, Vasconcellos, and Norman Waters)
85	—	945	Watson (Coauthor Senator McCorquodale) (Coauthors Assembly Members Chacon, Eastin, Farr, Hughes, Murray, and Tucker)
86	—	977	Beverly
87	—	1731	Bergeson
88	776	—	Eaves
89	1314	—	Clute (Principal coauthor Assembly Member Katz) (Principal coauthor Senator Killea) (Coauthors Assembly Members Eaves, Filante, and Lempert)
90	2445	—	Tucker
91	—	752	McCorquodale
92	—	1406	Vuich (Principal coauthor Assembly Member Norman Waters (Coauthor Assembly Member Cortese) (Coauthor Senator Alquist)
93	451	—	Johnston, Bradley, Clute, Connelly, Costa, Eastin, Eaves, Farr, Hansen, Johnson, Lempert, Moore, O'Connell, Speier, Vasconcellos, and Norman Waters (Coauthors Senators Bergeson, Cecil Green, Kopp, Presley, Russell, and Torres)
94	1005	—	Frazee
95	1784	—	Katz (Principal coauthor Senator Robbins) (Coauthors Assembly Members Epple and La Follette) (Coauthors Senators Roberti and Watson)
96	2115	—	Wright and O'Connell
97	—	682	Cecil Green
98	—	1848	Robbins
99	3015	—	Lancaster
100	1938	—	Norman Waters (Coauthors Senators Nielsen and Ayala)
101	2186	—	Murray
102	2745	—	Hannigan
103	—	633	Rosenthal
104	—	798	Deddeh
105	—	1048	Mello
106	211	—	Floyd
107	2292	—	Chandler
108	2557	—	Moore
109	1748	—	Chandler
110	—	1379	Leonard and Rosenthal (Coauthor Assembly Member Leslie)
111	—	2006	Robbins
112	—	2169	Kopp
113	—	504	Cecil Green
114	—	1402	Presley (Principal coauthors Assembly Members Clute and Kelley)
115	—	1581	Vuich (Coauthor Senator Seymour) (Coauthors Assembly Members Chandler, Costa, Jones, and Leslie)
116	520	—	Klehs (Principal coauthors Assembly Members Hansen, Seastrand, and Wright) (Coauthors Assembly Members Bane, Dennis Brown, Cannella, Chacon, Chandler, Cortese, Costa, Epple, Filante, Harvey, La Follette, Lempert, Leslie, McClintock, O'Connell, Peace, Speier, Vasconcellos, and Woodruff) (Coauthors Senators Cecil Green, Bill Greene, Killea, Lockyer, Nielsen, Presley, Rogers, Rosenthal, Seymour, and Watson)
117	574	—	Harvey (Coauthors Assembly Members Allen, Bentley, Pringle, Statham, Woodruff, and Wyman) (Coauthors Senators Kopp, Nielsen, Rogers, and Seymour)
118	812	—	Campbell
119	2104	—	Sher
120	2914	—	Hauser
121	—	400	Mello
122	—	285	Watson
123	2668	—	Kelley
124	2772	—	Hannigan (Coauthor Senator Keene)
125	—	1759	Beverly
126	—	124	Garamendi
127	—	1779	Rosenthal
128	—	1949	Rogers
129	—	2014	Killea
130	—	2188	Royce
131	—	2356	Maddy
132	2761	—	Hauser (Coauthor Senator Keene)
133	1061	—	Felando
134	—	2070	Royce
135	645	—	Floyd
136	—	1903	Robbins
137	—	1945	Killea
138	1841	—	Frizzelle
139	—	1174	Royce and Bergeson (Coauthor Assembly Members Ferguson and Peace)
140	—	1855	Beverly
141	1724	—	Friedman
142	3146	—	Harvey
143	—	1261	Bergeson
144	—	2022	Doolittle
145	1820	—	Sher (Principal coauthor Senator Ayala)
146	2555	—	Quackenbush
147	2740	—	Cortese
148	2748	—	Seastrand, Wyman, Wright, Bader, Baker, Cortese, Costa, Eaves, Hansen, Hauser, Hill, Hunter, Johnston, Jones, Kelley La Follette, Leslie, McClintock, Mojonnier, O'Connell, Peace, Polanco, and Norman Waters (Coauthors Senators Ayala, Doolittle, and Maddy)
149	2986	—	Quackenbush
150	3124	—	Harvey
151	3125	—	Hannigan
152	3180	—	Norman Waters
153	3524	—	Costa and Jones (Coauthor Senator Maddy)
154	3943	—	Farr
155	2562	—	Seastrand
156	2551	—	Quackenbush
157	2728	—	Lancaster
158	2777	—	Hannigan
159	2796	—	Hannigan (Coauthor Senator Keene)
160	2838	—	Farr
161	3022	—	Klehs (Principal coauthor Senator Lockyer)
162	3432	—	Isenberg
163	3684	—	Hauser
164	—	281	Leonard
165	—	414	Dills (Coauthor Senator Rogers)
166	—	1085	Leroy Greene
167	—	1754	Ayala, Bergeson, Craven, Doolittle, Cecil Green, Kopp, McCorquodale, Mello, Nielsen, Presley, Rogers, and Vuich
168	—	1796	Deddeh (Principal coauthor Assembly Member Mojonnier) (Coauthor Senator Killea)
169	—	1814	Vuich (Principal coauthor Assembly Member Katz) (Coauthors Senators Dills, Lockyer, McCorquodale, and Montoya) (Coauthors Assembly Members Bronzan, Cortese, Costa, Eastin, Eaves, Farr,

TABLE OF LAWS ENACTED—Continued

1990

Ch No	A B No	S B No	Author
			Friedman, Hughes, Jones, Peace, Statham, Woodruff, and Wyman)
170	—	1873	Morgan
171	1202	—	Campbell
172	189	—	Floyd
173	2578	—	Kelley
174	—	640	Alquist
175	2610	—	O'Connell, Bane, Willie Brown, Chandler, Cortese, Costa, Eastin, Filante, Hughes, Jones, Lempert, Roos, Sher, and Statham (Coauthors Senators Hill, Killea, Maddy, Marks, and Rosenthal)
176	—	1626	Rosenthal, Bill Greene, Roberti, and Torres (Coauthor Assembly Member Elder)
177	—	830	Roberti and Presley (Principal coauthor Assembly Member Connelly) (Coauthor Senator Keene) (Coauthors Assembly Members Cannella, Clute, Eastin, Epple, Peace, and Norman Waters)
178	2620	—	Eastin (Coauthor Senator Presley)
179	—	1748	Deddeh
180	—	2138	Russell
181	421	—	Allen (Coauthors Assembly Members Hansen, La Follette, and Speier) (Principal coauthor Senator Roberti) (Coauthors Senators Killea, Morgan, and Watson)
182	1528	—	Farr
183	2758	—	Eastin
184	3451	—	Hannigan, Areias, Bane, Bronzan, Chacon, Clute, Cortese, Costa, Eastin, Eaves, Farr, Filante, Friedman, Hauser, Johnston, Lempert, Moore, Murray, O'Connell, Peace, Pringle, Royal-Allard, Sher, Speier, Tucker, and Norman Waters (Coauthors Senators Deddeh, Leroy Greene, Keene, Marks, McCorquodale, Nielsen, Presley, Robbins, Seymour, Vuich, and Watson)
185	3506	—	Nolan, Bane, Filante, Statham, and Woodruff
186	3630	—	Filante, Hansen, and Hauser (Coauthors Senators Keene and Nielsen)
187	878	—	Johnston (Coauthor Senator Garamendi)
188	1697	—	Bronzan (Principal coauthors Assembly Members Willie Brown and Johnson) (Principal coauthors Senators Maddy and Roberti)
189	2618	—	Lempert
190	3302	—	Allen and Tucker
191	2563	—	Vasconcellos
192	1279	—	Hauser
193	—	1968	Lockyer
194	2570	—	Vasconcellos
195	185	—	Speier
196	1565	—	Sher
197	2550	—	Clute (Principal Assembly coauthors Assembly Members Harvey and Hauser) (Principal Senate coauthors Senators Keene and Presley)
198	2762	—	Hauser
199	2889	—	Moore
200	—	2397	Craven
201	—	1766	Alquist
202	—	1867	Boatwright
203	—	1944	Lockyer
204	—	2089	Davis
205	—	2352	Deddeh
206	—	2411	Dills
207	—	2668	Presley
208	—	2737	McCorquodale
209	—	1308	Garamendi
210	—	1773	Alquist
211	—	1939	Morgan
212	—	1976	Morgan
213	—	2019	Davis
214	—	2055	Morgan
215	—	2115	Leonard
216	—	2510	Lockyer
217	1683	—	Clute
218	2504	—	Wright
219	2839	—	Tucker
220	2998	—	O'Connell
221	3120	—	Lempert
222	3194	—	Floyd
223	3485	—	Epple
224	3761	—	Ferguson
225	—	435	Dills
226	—	1886	Craven
227	3423	—	Mountjoy
228	2743	—	Hunter
229	727	—	Jones and Costa
230	2538	—	Hansen
231	2596	—	Tanner
232	2769	—	Epple
233	2858	—	Frizzelle
234	3196	—	Norman Waters
235	3240	—	Frazee
236	3391	—	Ferguson
237	3472	—	Chandler
238	3890	—	Mojonnier
239	3899	—	Mountjoy
240	4215	—	Isenberg (Coauthors Assembly Members Connelly, Leslie, and Norman Waters) (Coauthors Senators Doolittle, Garamendi, and Leroy Greene)
241	—	1911	Mello
242	—	2005	Kopp and Marks (Coauthors Assembly Members Burton, Katz, and Speier)
243	—	2161	Leonard
244	—	2185	Royce
245	—	2433	Davis
246	2638	—	Tucker (Principal coauthor Assembly Member Epple) (Coauthors Assembly Members Bane, Chacon, Eaves, Felando, Harvey, Nolan, and Peace) (Coauthors Senators Doolittle, Cecil Green, Bill Greene, Leonard, Seymour, and Watson)
247	719	—	Hannigan (Coauthor Senator Keene)
248	809	—	Bates
249	2601	—	Tucker
250	2611	—	Lancaster
251	2640	—	Clute
252	2665	—	Seastrand
253	2702	—	Eaves
254	2897	—	Hunter
255	2909	—	Polanco (Coauthor Assembly Member Bane)
256	3074	—	Lancaster
257	3370	—	Pringle
258	3741	—	McClintock
259	3784	—	Chandler
260	3839	—	Mountjoy
261	3844	—	Murray
262	3957	—	Seastrand
263	—	1984	Robbins
264	—	1985	Cecil Green
265	—	2104	Kopp (Coauthor Assembly Member Eastin)
266	—	2629	Bergeson
267	1716	—	Nolan and Hughes (Coauthor Senator Davis)
268	2615	—	Quackenbush
269	2629	—	Roybal-Allard
270	2630	—	La Follette (Coauthor Senator Davis)
271	2631	—	Roybal-Allard
272	2651	—	Epple and Seastrand (Coauthors Assembly Members Bane, Bronzan, Clute, Cortese, Eaves, Ferguson, Friedman, Frizzelle, Hansen, Harvey, Lempert, Peace, Pringle, Roybal-Allard, and Norman Waters) (Coauthors Senators Cecil Green, Killea, Kopp, McCorquodale, Rosenthal, Seymour, and Torres)
273	2692	—	O'Connell
274	2709	—	Burton
275	2781	—	Bader
276	2786	—	Moore

TABLE OF LAWS ENACTED—Continued

1990

Ch No	AB No	SB No	Author
277	2801	—	Hauser
278	2803	—	Hauser
279	2805	—	Hauser
280	2853	—	Allen
281	2855	—	Chandler
282	2937	—	Johnson
283	2947	—	Harris
284	2971	—	Statham
285	2984	—	Floyd and Eastin
286	3009	—	McClintock and Friedman
287	3078	—	McClintock
288	3149	—	Jones
289	3168	—	Frazee
290	3260	—	Floyd
291	3275	—	Hauser
292	3325	—	Johnston
293	3326	—	Johnston
294	3367	—	Wyman (Coauthor Senator Russell)
295	3371	—	Leslie
296	3383	—	Baker and Filante
297	3546	—	Norman Waters
298	3671	—	Eastin
299	3729	—	Chandler
300	3790	—	Wyman (Coauthor Senator Russell)
301	3824	—	Bentley
302	3834	—	Epple
303	3849	—	Felando
304	3964	—	Moore
305	3987	—	Katz
306	4108	—	Polanco
307	4158	—	Norman Waters and Bader
308	4162	—	Roybal-Allard
309	—	1763	Rosenthal
310	—	1769	Kopp
311	—	2156	Rosenthal
312	—	2250	Vuich
313	—	2471	Cecil Green
314	—	2673	Robbins
315	—	2706	Watson
316	1639	—	Pringle and Hughes
317	3177	—	Norman Waters
318	3322	—	Filante
319	3575	—	Farr
320	4122	—	Frazee (Principal coauthor Senator Bergeson)
321	—	929	Seymour
322	—	1223	Petris
323	—	1762	Vuich, Robbins, and Seymour (Principal coauthor Senator McCorquodale) (Principal coauthor Assembly Member Johnston) (Coauthors Assembly Members Bane and Chacon)
324	—	1774	Lockyer
325	—	1896	Davis
326	—	2199	Robbins
327	—	2242	Davis
328	—	2366	Mello
329	3109	—	Harvey
330	379	—	Nolan
331	835	—	Johnson
332	2124	—	Felando
333	2306	—	Calderon
334	2574	—	Lancaster
335	2581	—	Tucker
336	2658	—	Cortese, Eastin, Frazee, and Moore
337	2717	—	Pringle
338	2792	—	Kelley
339	2836	—	Moore
340	2887	—	Moore
341	2943	—	Clute
342	3157	—	Costa
343	3270	—	Hannigan
344	3285	—	Clute, Epple, Harvey, and Peace (Coauthors Senators Kopp and McCorquodale)
345	3920	—	Nolan
346	—	1601	Vuich and Assembly Member Bronzan
347	—	1734	Kopp and Leroy Greene
348	—	1897	Lockyer
349	—	2045	Rosenthal
350	—	2084	Maddy
351	—	2318	Rosenthal
352	—	2329	Killea
353	—	2345	McCorquodale
354	2600	—	Statham
355	2661	—	Klehs (Coauthors Assembly Members Bane, Bates, Willie Brown, Burton, Calderon, Campbell, Cortese, Costa, Eastin, Filante, Harris, Hayden, Kelley, Peace, Speier, and Vasconcellos) (Coauthors Senators Boatwright and Presley)
356	2732	—	Willie Brown
357	2779	—	Lewis
358	3377	—	Mountjoy
359	3970	—	Costa
360	—	378	Boatwright
361	—	1251	Mello
362	—	1319	Seymour
363	—	2227	Robbins
364	—	2410	Rogers
365	—	2694	Bergeson
366	—	2779	Leroy Greene
367	911	—	Katz (Coauthor Senator Killea)
368	1980	—	Farr
369	2217	—	Baker (Principal coauthors Assembly Members Ferguson and Lancaster) (Coauthors Assembly Members Hansen, Isenberg, Kelley, and Seastrand) (Coauthor Senator Kopp)
370	3444	—	Lancaster
371	3471	—	Johnston
372	—	1921	Boatwright
373	—	2155	Rosenthal
374	—	2261	Torres
375	2720	—	Felando
376	2881	—	Hannigan
377	3006	—	O'Connell
378	3209	—	Costa
379	3254	—	Areias (Coauthor Senator Torres)
380	3259	—	Pringle
381	3376	—	Bronzan
382	3408	—	Frazee
383	3437	—	Roybal-Allard
384	3735	—	Elder
385	3832	—	Lancaster and Johnston
386	3852	—	Felando
387	4121	—	Chacon
388	4316	—	Leslie
389	—	2016	Cecil Green
390	—	2419	Russell
391	43	—	Elder
392	2683	—	Floyd
393	2886	—	Moore
394	2935	—	Moore
395	3475	—	Areias
396	—	153	Craven
397	—	2539	Bill Greene
398	3467	—	Burton (Principal coauthor Assembly Member Willie Brown)
399	2860	—	Kelley
400	2953	—	Pringle (Principal coauthors Assembly Members Filante and La Follette) (Coauthors Senators Kopp and Marks)
401	3207	—	Mountjoy
402	3298	—	Hunter
403	3307	—	Statham, Costa, Felando, La Follette, and Mojonnier (Coauthors Senators Morgan and Torres)
404	3308	—	Statham
405	3786	—	Chandler
406	4083	—	Statham
407	—	65	Kopp (Principal coauthor Senator Boatwright) (Coauthors Senators Ayala, McCorquodale, Seymour, and Torres) (Principal coauthor Assembly Member Katz)
408	3483	—	Epple
409	3583	—	Woodruff

TABLE OF LAWS ENACTED—Continued

1990

Ch No	AB No	SB No	Author
410	3835	—	Johnston
411	3973	—	the Assembly Committee on Judiciary (as presented by Assembly Member Isenberg on behalf of the committee) (Coauthors Assembly Members Connelly, Friedman, Harris, Johnston, McClintock, Mojonnier, Statham, and Maxine Waters)
412	4017	—	Bronzan, Bane, Connelly, Costa, Eastin, Elder, Farr, Hayden, Johnson, Kelley, O'Connell, Peace, Speier, and Statham (Principal coauthor) (Coauthors Senators Marks, and McCorquodale)
413	2892	—	Moore
414	3031	—	Jones and Kelley
415	1621	—	Peace (Principal coauthor Senator Bergeson)
416	2220	—	Harris
417	2697	—	Hannigan (Coauthor Senator Keene)
418	2791	—	Speier
419	2819	—	Epple
420	2847	—	Floyd
421	2944	—	Clute
422	3047	—	Bentley (Principal coauthor Senator Rosenthal) (Coauthors Assembly Members Eastin, Harvey, Hunter, Marston, Peace, and Woodruff) (Coauthors Senators Bergeson, Kopp, Marks, and Watson)
423	3098	—	Rovbal-Allard
424	3147	—	Speier
425	3175	—	Floyd
426	3385	—	Ferguson
427	3678	—	Cortese (Coauthor Assembly Member Filante) (Coauthor Senator Vuich)
428	3811	—	Willie Brown
429	3904	—	Wyman, Ferguson, Filante, Harvey, Leslie, and Woodruff (Coauthors Senators Doolittle and Presley)
430	4272	—	Hauser
431	—	1150	Lockyer
432	—	1798	Rogers
433	—	2030	Boatwright (Coauthors Assembly Members Baker, Bates, and Campbell)
434	—	2044	Rosenthal
435	—	2571	Lockyer
436	1989	—	Hannigan (Coauthors Assembly Members Bates and Murray) (Coauthor Senator Kopp)
437	2679	—	Tanner
438	3330	—	Frazee
439	—	2060	Killea
440	—	2109	Bill Greene
441	2883	—	Speier, Allen, Cannella, Chacon, Cortese, Eastin, Eaves, La Follette, Polanco, and O'Connell (Coauthors Senators Calderon, Morgan, and Watson)
442	3080	—	Floyd
443	—	2347	Petris
444	—	2174	Bergeson
445	2068	—	Bentley
446	—	2447	McCorquodale
447	2723	—	Felando
448	—	1975	Torres
449	160	—	Polanco
450	—	57	Lockyer
451	116	—	Floyd
452	274	—	Isenberg
453	1109	—	Katz
454	2814	—	Kelley (Principal coauthor Senator Presley)
455	—	1783	Beverly
456	3573	—	Baker
457	—	2097	Maddy
458	2348	—	Willie Brown
459	—	1333	Dills
460	—	1370	Cecil Green (Principal coauthor Assembly Member Elder)
461	—	1744	Hart
462	—	1806	Roberti
463	—	1809	Kopp
464	—	2319	Alquist
465	—	2454	Royce
466	—	2557	Maddy
467	—	899	Alquist
468	528	—	Isenberg and Hansen
469	469	—	Harvey
470	3172	—	Baker and Maxine Waters
471	—	1824	Maddy
472	—	1826	Beverly
473	—	1910	Killea
474	—	2035	Hart (Coauthor Assembly Member O'Connell)
475	—	2124	Dills
476	—	2304	Ayala
477	—	2457	Boatwright
478	—	2466	Cecil Green
479	—	2633	Robbins
480	—	2680	Boatwright, Ayala, and Torres
481	—	2809	Robbins
482	—	1849	Petris
483	—	2066	Davis
484	—	2216	Rogers
485	—	2290	Seymour
486	—	2576	Kopp
487	—	2593	Kopp
488	—	2778	Russell
489	—	2309	Leroy Greene
490	—	2113	Doolittle
491	527	—	Hannigan and Polanco
492	752	—	La Follette
493	1211	—	Hauser and Clute
494	1811	—	Sher (Principal coauthor Senator Nielsen) (Coauthor Senator Campbell)
495	2575	—	Farr, Chandler, Cortese, Lempert, O'Connell, Seastrand, and Norman Waters
496	2721	—	Kelley
497	2806	—	Hauser
498	2830	—	Statham
499	2870	—	Harvey
500	3390	—	Areias
501	3455	—	Norman Waters
502	—	1087	Mello and Roberti (Principal coauthor Senator Campbell) (Coauthor Assembly Member Filante)
503	—	2101	Deddeh
504	—	2049	Vuich
505	—	2376	Presley
506	1967	—	Moore
507	2636	—	Norman Waters
508	2797	—	Vasconcellos
509	3641	—	Johnston, Clute, Eaves, Epple, Farr, Moore, and Speier (Coauthors Senators Marks and Robbins)
510	—	46	Garamendi
511	—	163	Dills
512	—	1063	Dills
513	—	1915	Bill Greene
514	—	1916	Rosenthal
515	—	2243	Davis
516	—	2398	Dills
517	—	2672	Presley and Dills (Principal coauthor Assembly Member Clute) (Coauthors Assembly Members Johnson, Kelley, and Polanco)
518	1506	—	Moore
519	1953	—	Allen
520	3306	—	Lancaster
521	481	—	Campbell
522	—	665	Davis, Cecil Green, and Watson (Coauthors Assembly Members Hughes and Murray)
523	—	1320	Seymour
524	—	1836	Rosenthal
525	—	1909	Presley
526	—	2460	Cecil Green (Coauthors Assembly Members Woodruff, La Follette, and Marston)
527	—	2661	Presley
528	—	2561	McCorquodale
529	2760	—	Norman Waters

TABLE OF LAWS ENACTED—Continued

1990

Ch No	A B No	S B No	Author
530	—	2579	Robbins
531	2635	—	Tanner
532	2824	—	Jones
533	2968	—	Bader
534	2923	—	Hughes
535	3428	—	Clute
536	3568	—	Areias
537	3676	—	Cortese
538	4260	—	Epple
539	—	1141	Robbins
540	2822	—	Woodruff, Baker, Bronzan, Chacon, Chandler, Hansen, Nolan, Peace, Speier, Statham, and Maxine Waters (Coauthors Senators Bill Greene, Nielsen, and Russell)
541	3184	—	Hughes
542	—	1860	Kopp
543	—	2015	Kopp
544	—	2028	Doolittle
545	—	2032	Leroy Greene
546	—	2091	Hart
547	—	2222	Watson
548	—	2235	Presley
549	2981	—	Elder
550	2990	—	Hauser (Principal coauthor Assembly Member Norman Waters) (Coauthors Assembly Members Bane, Chacon, Chandler, Hansen, Peace, and Statham) (Coauthors Senators Bill Greene, Keene, and Nielsen)
551	2997	—	Areias
552	3033	—	Johnson
553	3181	—	Norman Waters
554	3214	—	McClintock
555	3265	—	Roybal-Allard
556	3329	—	Lempert
557	3369	—	Tanner
558	3382	—	Baker
559	4012	—	Frizzelle
560	4129	—	Hughes
561	4320	—	Frazee
562	3798	—	Johnston and Lancaster
563	4265	—	Clute
564	4331	—	Moore
565	66	—	Floyd
566	2193	—	Tucker
567	2906	—	Seastrand
568	3289	—	Friedman, Dennis Brown, Chacon, Eastin, Epple, Farr, Harvey, Lempert, O'Connell, Peace, Roybal-Allard, and Statham (Coauthors Senators Royce, Torres, and Watson)
569	3971	—	Floyd
570	3964	—	Leslie
571	985	—	Sher
572	—	1645	Dills (Coauthors Senators Alquist, Davis, Morgan, Nielsen, Petris, and Seymour) (Coauthors Assembly Members Bader, Hannigan, Mojonnier, Maxine Waters, and Woodruff)
573	—	2755	Rogers, Ayala, Bergeson, Beverly, Dills, Deddeh, Garamendi, Cecil Green, Hill, McCorquodale, Nielsen, and Robbins (Coauthors Assembly Members Bane, Chandler, Costa, Epple, Ferguson, Filante, Hansen, Harvey, Jones, La Follette, Mojonnier, Mountjoy, Nolan, Peace, Statham, Woodruff, and Wyman)
574	4236	—	Nolan (Coauthors Assembly Members Filante, Harvey, Hunter, Jones, Kelley, La Follette, Leslie, Mojonnier, Peace, Pringle, Woodruff, and Wyman) (Coauthors Senators Craven and Hill)
575	2479	—	Nolan (Principal coauthor Assembly Member Hughes)
576	524	—	Murray
577	—	2456	Maddy
578	236	—	Clute (Principal coauthor Assembly Member Lempert) (Principal coauthor Senator Killea) (Coauthors Assembly Members Bates, Bradley, Willie Brown, Cortese, Costa, Eastin, Eaves, Epple, Farr, Friedman, Hannigan, Hansen, Hauser, Hughes, Klehs, Margolin, Murray, O'Connell, and Roos) (Coauthors Senators Ayala, Bergeson, Beverly, Davis, Deddeh, Dills, Bill Greene, Leroy Greene, Lockyer, Nielsen, and Presley)
579	—	1094	Presley
580	—	855	McCorquodale (Coauthor Assembly Member O'Connell)
581	—	284	Marks
582	—	340	Alquist
583	—	1104	Roberti
584	—	1678	Presley
585	—	1757	Kopp
586	—	1761	Vuich
587	—	1782	Robbins
588	—	1808	Leonard and Nielsen (Principal coauthor Assembly Member McClintock) (Coauthors Senators Davis, Deddeh, Doolittle, Cecil Green, Killea, Presley, and Seymour) (Coauthors Assembly Members Bane, Dennis Brown, Chacon, Eaves, Elder, Epple, Farr, Filante, Hansen, Hughes, Johnson, Johnston, Nolan, Peace, Seastrand, Speier, Statham, Woodruff, and Wyman)
589	—	1815	Alquist
590	—	1866	Davis
591	—	1882	Kopp
592	—	1900	Robbins
593	—	1926	Rosenthal
594	—	1953	McCorquodale and Mello
595	—	2025	Boatwright
596	—	2072	Royce (Coauthors Assembly Members Areias, Harvey, Hughes, La Follette, and Marston)
597	—	2121	Davis
598	—	2122	Davis
599	—	2130	Doolittle
600	—	2153	Marks
601	—	2177	Alquist
602	—	2215	Robbins
603	—	2223	Watson
604	—	2229	Craven
605	—	2245	Davis
606	—	2266	Morgan (Principal coauthor Senator Roberti) (Principal coauthor Assembly Member Allen) (Coauthors Senators Davis, Garamendi, Bill Greene, Leroy Greene, Keene, Killea, Lockyer, Nielsen, Rosenthal, Vuich, and Watson) (Coauthors Assembly Members Bates, Bentley, Bronzan, Calderon, Cannella, Chacon, Chandler, Clute, Cortese, Eastin, Eaves, Elder, Filante, Harvey, Hauser, Hughes, Margolin, Mojonnier, Moore, Murray, Nolan, Peace, Pringle, Roybal-Allard, Speier, and Vasconcellos)
607	—	2311	Bergeson
608	—	2377	Presley
609	535	—	Wyman (Coauthor Senator Rogers)
610	2700	—	Roybal-Allard (Principal coauthor Assembly Member Speier)
611	3586	—	Mountjoy
612	3612	—	Frizzelle
613	—	1885	Davis
614	—	2236	Garamendi
615	—	2518	Craven
616	—	2574	Robbins
617	—	2534	Bill Greene
618	—	2535	Bill Greene
619	—	2549	Keene
620	—	2582	Hart
621	—	2675	Marks
622	—	2729	Watson
623	—	2745	Boatwright

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Ch No	AB No	SB No	Author
624	—	2752	Robbins
625	—	2775	Torres
626	—	2795	Marks
627	—	2829	Kopp
628	—	2865	Petris
629	—	2885	Boatwright
630	—	2586	Roberti
631	—	2636	Vuich
632	125	—	Floyd
633	530	—	Peace
634	1720	—	Hayden (Coauthor Senator Nielsen)
635	2670	—	La Follette
636	2865	—	*Burton*
637	2880	—	Areias and Peace (Coauthors Senators Cecil Green, Marks, and Petris)
638	2891	—	Moore
639	3280	—	Tanner
640	3267	—	Lancaster
641	3276	—	Bronzan, Bane, Chacon, Cortese, Elder, Farr, Katz, Roybal-Allard, Sher, and Vasconcellos (Coauthors Senators Alquist, Deddeh, Cecil Green, Nielsen, and Watson)
642	3312	—	Woodruff
643	—	2023	Hart
644	—	2200	Nielsen (Coauthor Senator Bergeson) (Principal coauthor Assembly Member Woodruff) (Coauthors Assembly Members Clute, Costa, Filante, Harvey, and Statham)
645	—	2340	Kopp
646	—	2380	Presley
647	—	2404	Morgan
648	—	2406	Marks
649	—	2420	Royce
650	—	2423	Royce
651	—	2467	Cecil Green
652	—	2474	Cecil Green
653	—	2480	Rogers
654	—	2488	Bergeson
655	—	2585	Marks
656	—	2599	Vuich (Principal coauthors Assembly Members Harvey and Jones)
657	—	2339	Kopp
658	3060	—	Hughes
659	3089	—	Frizzelle
660	3153	—	Tanner
661	3550	—	Norman Waters
662	3613	—	Hughes
663	3660	—	Farr
664	3791	—	Wyman (Coauthor Senator Nielsen)
665	3860	—	Farr
666	3898	—	Willie Brown
667	3910	—	Hansen, Ferguson, Filante, Frazee, Hauser, and Mojonnier
668	4032	—	Harvey
669	4049	—	Mojonnier
670	4222	—	Klehs
671	—	1029	Mello
672	—	1840	Kopp, McCorquodale, Rosenthal, Torres, and Watson (Coauthors Assembly Members Chacon and Eastin)
673	—	1996	Mello
674	—	2739	Roberti
675	389	—	Peace (Principal coauthor Assembly Member Eaves)
676	1822	—	Katz
677	2284	—	Peace
678	2368	—	Wright
679	2612	—	Lancaster
680	2632	—	Roybal-Allard
681	2827	—	Kelley
682	3084	—	Eaves
683	3116	—	Moore
684	3134	—	McClintock
685	3186	—	Filante
686	3189	—	Tanner
687	3200	—	Polanco
688	3226	—	Floyd
689	3238	—	Lancaster
690	3277	—	Costa
691	3340	—	Margolin
692	3398	—	Norman Waters
693	3403	—	Mojonnier
694	3416	—	Farr and Cortese
695	3448	—	Statham, Farr, Felando, Ferguson, Filante, and Seastrand (Coauthors Senators Morgan, Nielsen, and Vuich)
696	3457	—	Moore
697	3463	—	La Follette
698	3466	—	Frazee
699	3516	—	*Ferguson*
700	3518	—	Hughes
701	3592	—	Farr
702	3649	—	Vasconcellos
703	3842	—	Allen
704	3853	—	Wright
705	3882	—	Eastin and Kelley
706	3911	—	Hansen
707	3946	—	Harris
708	4318	—	Leslie
709	—	1131	McCorquodale
710	—	1775	Lockyer
711	—	1813	McCorquodale
712	—	1977	Senators Kopp, Doolittle, and Robbins (Coauthors Assembly Members Clute, Eaves, and Hill)
713	—	2606	Torres
714	2553	—	Quackenbush
715	2038	—	Eastin
716	2438	—	Ferguson
717	2639	—	Lancaster
718	2654	—	Hunter
719	2667	—	Eastin
720	2674	—	Roos (Principal coauthor Assembly Member Clute) (Coauthors Assembly Members Bates, Bronzan, Willie Brown, Burton, Calderon, Cortese, Eastin, Eaves, Elder, Epple, Filante, Friedman, Harris, Hauser, Hughes, Lempert, Mojonnier, Murray, O'Connell, Peace, Roybal-Allard, Sher, Speier, Tucker, Vasconcellos, and Maxine Waters) (Coauthors Senators Cecil Green, Bill Greene, Keene, Lockyer, and Rosenthal)
721	2756	—	Costa and Bane
722	2775	—	Hauser
723	2782	—	Wright and Filante
724	2950	—	Farr
725	2966	—	Polanco (Principal coauthor Assembly Member Hunter) (Coauthors Assembly Members Areias, Bane, Cannella, Chacon, Chandler, Costa, Elder, Epple, Farr, Felando, Filante, Friedman, Hansen, Harvey, Hauser, Katz, Lempert, Peace, Speier, Statham, and Maxine Waters) (Coauthors Senators Calderon, Deddeh, Cecil Green, Bill Greene, Keene, Lockyer, Marks, McCorquodale, Rosenthal, and Watson)
726	2987	—	Quackenbush
727	3045	—	Speier
728	3070	—	Lewis
729	3071	—	Lewis
730	3103	—	Jones
731	3105	—	Clute
732	3108	—	Farr and Cortese
733	3117	—	Moore
734	3188	—	Mountjoy
735	3269	—	Bentley and Marston
736	3469	—	Johnston, Bane, Chacon, Clute, Eaves, Klehs, Lancaster, Nolan, Peace, and Speier (Coauthors Senators Garamendi, McCorquodale, Nielsen, Presley, Seymour, and Watson)
737	3596	—	Polanco
738	3611	—	Hansen
739	3616	—	Kelley

TABLE OF LAWS ENACTED—Continued

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Ch No	A B No	S B No	Author
740	3628	—	Wright (Coauthor Senator Doolittle)
741	3636	—	Katz
742	3640	—	Hansen
743	3675	—	Farr
744	3688	—	Hauser
745	3706	—	Hauser
746	3787	—	Leslie
747	3803	—	Norman Waters
748	3813	—	Lewis
749	3877	—	Woodruff
750	3928	—	Jones
751	3956	—	Woodruff
752	4000	—	Roybal-Allard
753	3192	—	Murray and Statham
754	2708	—	Hansen
755	2811	—	Jones
756	3453	—	Leslie
757	2776	—	Norman Waters
758	3023	—	Statham and Bates
759	3738	—	Chandler
760	3922	—	Sher
761	3924	—	Cannella
762	3936	—	Wyman
763	4029	—	Leslie
764	4039	—	Kelley
765	4079	—	Pringle
766	3582	—	Woodruff
767	4034	—	Statham
768	4071	—	Connelly, Bane, Margolin, O'Connell, Peace, and Speier (Coauthors Senators Cecil Green and Rosenthal)
769	4311	—	Jones
770	—	241	Bill Greene
771	—	247	Kopp
772	—	882	Robbins
773	—	917	McCorquodale
774	—	1079	Mello
775	—	1410	Mello
776	—	1429	Cecil Green
777	—	1575	Cecil Green
778	—	1635	Nielsen
779	—	1746	Seymour
780	—	1760	Cecil Green (Principal coauthors Senators McCorquodale and Mello)
781	—	1784	Leonard (Principal coauthor Assembly Member Eastin) (Coauthors Assembly Members Eaves, Filante, Frizzelle, Lancaster, Statham, and Woodruff)
782	—	1835	Alquist (Principal coauthor Assembly Member Farr) (Coauthors Senators Ayala, Doolittle, Hill, Killea, Kopp, McCorquodale, Nielsen, Torres, and Watson) (Coauthors Assembly Members Areias, Chacon, Cortese, Elder, Filante, Harris, Quackenbush, Speier, and Statham)
783	—	1847	Marks and Deddeh
784	—	1877	Boatwright
785	—	1917	Ayala
786	—	1964	Leroy Greene
787	—	1981	Russell (Principal coauthor Senator Bill Greene)
788	—	2042	Vuich
789	—	2043	McCorquodale
790	—	2099	Deddeh
791	—	2103	Rosenthal and Leonard
792	—	2116	Morgan
793	—	2142	Davis
794	—	2136	Robbins
795	—	2159	Bergeson
796	—	2191	Deddeh
797	—	2327	Russell (Principal coauthor Senator Cecil Green)
798	—	2373	Russell (Principal coauthor Senator Cecil Green)
799	—	2401	Marks
800	—	2572	Lockyer
801	—	2628	Russell
802	—	2657	Vuich
803	2778	—	Hughes
804	3331	—	Peace (Principal coauthor Senator Kopp)
805	4010	—	Mountjoy
806	3709	—	Campbell
807	—	856	Robbins
808	—	886	Dills
809	—	1520	Presley
810	—	1732	Bergeson
811	—	1733	Bergeson
812	—	1827	Craven
813	—	1869	Garamendi
814	—	1922	Davis
815	—	1941	Lockyer
816	—	1943	Lockyer
817	—	1951	Dills
818	—	1960	Petris
819	—	2077	Ayala
820	—	2239	Doolittle
821	—	2271	Maddy
822	—	2483	Russell (Coauthors Senators Doolittle, Hill, Kopp, Nielsen, Presley, Robbins, Rogers, and Vuich) (Coauthors Assembly Members Baker, Bane, Dennis Brown, Epple, Felando, Ferguson, Filante, Frizzelle, Harvey, Leslie, Peace, Mountjoy, Nolan, Seastrand, Statham, and Wyman)
823	—	2654	Roberti
824	—	2858	Garamendi
825	244	—	Calderon
826	266	—	Hannigan
827	731	—	Elder
828	1593	—	Tucker
829	1678	—	Chacon
830	2474	—	Wright
831	2552	—	Quackenbush
832	2572	—	ee on Governmental Efficiency and Consumer Protection (as presented by Assembly Member Eastin on behalf of the committee) (Principal coauthor Senator Kopp)
833	2592	—	Roos (Principal coauthor Assembly Member Friedman)
834	2607	—	Moore and Friedman
835	2655	—	Hunter
836	2681	—	Kelley
837	2687	—	Mojonnier
838	2693	—	Eastin
839	2713	—	Moore (Coauthor Assembly Member Friedman)
840	2734	—	Hunter (Coauthors Senators McCorquodale and Presley)
841	2764	—	Kelley
842	2906	—	Peace and Eaves
843	2932	—	Eastin
844	3037	—	Speier
845	3054	—	Friedman
846	3086	—	Klehs
847	3122	—	Costa
848	3211	—	Felando
849	3219	—	Friedman and Margolin (Coauthor Senator Robbins)
850	3274	—	Hauser
851	3360	—	Jones
852	3378	—	Chacon
853	3399	—	Norman Waters, Costa, Hansen, Hauser, and Jones
854	3415	—	Murray (Coauthors Assembly Members Clute and Farr)
855	3487	—	Burton (Coauthors Assembly Members Bane, Eastin, Friedman, Katz, and Tanner) (Coauthors Senators Marks, Rosenthal, Torres, and Watson)
856	3527	—	Eaves
857	3621	—	O'Connell
858	3714	—	Elder
859	3782	—	Tucker
860	3912	—	Cannella
861	4031	—	Vasconcellos
862	4091	—	Mojonnier

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Ch No	A B No	S B No	Author
863	4124	—	Chacon
864	4145	—	Committee on Human Services (presented by Assembly Member Bates on behalf of the committee) (Coauthors Assembly Members Bronzan, Floyd, Hunter, Peace, and Tucker)
865	4157	—	Norman Waters
866	4160	—	Katz (Principal coauthor Senator Kopp) (Coauthors Assembly Members Bane, Chacon, Eastin, Epple, O'Connell, Peace, and Speier) (Coauthors Senators Davis, Robbins, and Watson)
867	4173	—	Areias
868	4190	—	Farr
869	4219	—	Lempert, Clute, Eaves, Farr, Filante, Hannigan, Hansen, Harvey, O'Connell, and Peace (Coauthors Senators Cecil Green and Watson)
870	4221	—	Klehs
871	4241	—	Connelly, Bane, Eastin, Elder, Filante, Harvey, Peace, and Speier (Coauthors Senators Craven, Davis, Dills, Robbins, Rosenthal, Torres, and Watson)
872	4267	—	Harris
873	4361	—	Leslie
874	—	2444	Rogers
875	—	2421	Royce
876	—	2473	Cecil Green
877	—	2475	Craven
878	—	2487	Killea
879	—	2532	Marks
880	—	2546	Avala
881	—	2547	Keene
882	—	2558	Leroy Greene
883	—	2660	Maddy
884	—	2563	Mello
885	—	2712	Dills
886	—	2762	Marks
887	—	2766	Royce
888	—	2787	Robbins
889	—	2793	Roberti
890	—	2498	Presley
891	1430	—	Eastin, Areias, Lempert, O'Connell, Polanco, Sher, and Vasconcellos (Coauthors Senators Alquist, Calderon, and McCorquodale)
892	2675	—	Hannigan
893	2686	—	Speier
894	2840	—	Woodruff (Principal Assembly coauthors Assembly Members Harris and Lempert) (Principal Senate coauthor Senator Leonard) (Coauthors Assembly Members Baker, Eaves, Elder, Filante, Peace, and Vasconcellos) (Coauthors Senators Nielsen and Rosenthal)
895	3097	—	Leslie (Coauthor Assembly Member Katz)
896	3165	—	Frizzelle
897	3331	—	Roybal-Allard
898	3358	—	Frazee
899	3424	—	Lancaster
900	3474	—	Peace
901	3512	—	Clute, Chacon, Costa, Filante, Hughes, and Mojonnier (Coauthors Senators Alquist, Dills, Kopp, and Watson)
902	3723	—	Elder
903	4048	—	Elder and Quackenbush (Coauthor Senator McCorquodale)
904	4248	—	Willie Brown
905	—	2075	Royce
906	—	2120	Marks
907	—	2190	Royce
908	—	2272	Roberti
909	—	2265	Dills
910	—	2316	Lockyer
911	—	2328	Killea
912	—	2335	Doolittle
913	—	2369	Marks
914	—	2372	Hart
915	—	2384	Deddeh
916	—	2388	Russell, Bergeson, Doolittle, Cecil Green, Robbins, and Vuich (Coauthors Assembly Members Chacon, Hansen, Harris, Leslie, Polanco, Norman Waters, Woodruff, and Wyman)
917	—	2389	Russell, Bergeson, Deddeh, Dills, Doolittle, McCorquodale, Morgan, Nielsen, Presley, Robbins, Seymour, Vuich, and Watson (Coauthors Assembly Members Chacon, Chandler, Hansen, Mojonnier, Polanco, Pringle, Woodruff, and Wyman)
918	—	2393	Marks
919	1312	—	Filante, Norman Waters, and O'Connell (Principal coauthors Assembly Members Cortese, Costa, and Peace) (Coauthor Assembly Member Marston)
920	145	—	Costa (Principal coauthors Senators Presley and McCorquodale) (Coauthors Assembly Members Areias, Bane, Bronzan, Willie Brown, Burton, Connelly, Cortese, Eastin, Eaves, Farr, Frazee, Hannigan, Harris, Hauser, Isenberg, Katz, Kelley, Klehs, Lempert, Mojonnier, Murray, O'Connell, Peace, Polanco, Roybal-Allard, Speier, and Statham) (Coauthors Senators Alquist, Avala, Bergeson, Beverly, Deddeh, Garamendi, Hill, Keene, Killea, Lockyer, Marks, Mello, Nielsen, Robbins, Rosenthal, and Torres)
921	2180	—	Willie Brown (Principal coauthor Senator Lockyer)
922	—	78	Watson, Dills, Cecil Green, Marks, McCorquodale, Montoya, Morgan, Petris, Robbins, Roberti, and Rosenthal (Coauthors Assembly Members Bates, Burton, Cortese, Eastin, Friedman, Hayden, Hughes, Killea, Roos, and Speier)
923	485	—	Clute
924	1055	—	Roos
925	2242	—	Costa
926	2773	—	Peace
927	3279	—	Costa
928	3412	—	Clute
929	3449	—	Statham
930	3494	—	Campbell
931	3521	—	Bentley (Coauthors Assembly Members Allen, Chacon, Clute, Hunter, La Follette, Marston, Nolan, Roybal-Allard, Speier, and Woodruff) (Coauthors Senators Bergeson, Leroy Greene, Hill, Vuich, and Watson)
932	3555	—	Sher
933	3556	—	Cortese
934	3570	—	Harris
935	3593	—	Speier, Friedman, Hughes, Mojonnier, Moore, and Roybal-Allard
936	3776	—	the Assembly Governmental Efficiency and Consumer Protection Committee
937	4077	—	Johnston
938	4228	—	Quackenbush and Norman Waters
939	4315	—	Leslie
940	—	1871	Hart
941	—	1912	Bergeson (Principal coauthor Senator Torres) (Coauthors Senators Ayala, Davis, Doolittle, Bill Greene, Keene, Nielsen, Rosenthal, and Vuich) (Coauthors Assembly Members Allen, Chacon, Eastin, Ferguson, Filante, Frizzelle, Hughes, Katz, La Follette, Nolan, Roybal-Allard, Statham, and Wyman)
942	—	2073	Royce
943	—	2170	Doolittle
944	—	2334	Killea
945	—	2426	Mello
946	—	2459	Beverly
947	—	2496	Vuich, Kopp, and McCorquodale (Coauthors Assembly Members Mojonnier and Peace)
948	—	2590	Roberti

TABLE OF LAWS ENACTED—Continued

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Ch No	A B No	S B No	Author
949	—	2616	Robbins and Kopp
950	—	2681	Boatwright, Avala, and Torres
951	—	2706	Kopp
952	—	2730	Keene
953	479	—	Chacon
954	2545	—	Katz
955	3373	—	Leslie
956	3683	—	Hauser
957	1535	—	Farr
958	2202	—	Eastin (Coauthor Senator Lockyer)
959	2586	—	Hughes (Coauthors Assembly Members Bane, Farr, Felando, Johnston, Polanco, and Roybal-Allard) (Coauthors Senators Dills, Marks, Rosenthal, and Watson)
960	2718	—	Felando
961	3004	—	Bader
962	3229	—	Polanco and Murray
963	3239	—	Lancaster
964	3456	—	Floyd
965	3510	—	Frazee
966	4018	—	Cortese
967	4069	—	Willie Brown
968	4111	—	Chacon
969	4254	—	Johnston (Principal coauthors Assembly Members Bane, Wright, Ferguson, and Pringle) (Coauthors Assembly Members Chacon, Eastin, Eaves, Epple, Hughes, Isenberg, Katz, Lancaster, Lempert, Moore, Peace, Speier, and Norman Waters) (Coauthors Senators Cecil Green, McCorquodale, and Russell)
970	4352	—	Tanner (Principal coauthor Senator Presley)
971	—	585	Hill
972	—	722	Hill
973	—	1807	Kopp, Nielsen, and Watson (Coauthors Assembly Members Chacon, Felando, Hansen, Lempert, Peace, Seastrand, and Statham)
974	—	1957	Avala (Principal coauthor Senator Presley)
975	—	2284	Robbins
976	—	2663	Presley
977	—	2862	Presley
978	294	—	Bader (Principal coauthors Assembly Members Calderon, Filante, and Hayden) (Coauthors Assembly Members Chacon, Costa, Eastin, Eaves, Farr, O'Connell, Peace, and Speier) (Coauthors Senators Marks and Robbins)
979	—	306	Morgan
980	—	2786	Presley
981	—	549	Presley
982	4229	—	Quackenbush
983	—	838	Bergeson (Principal coauthor Assembly Member Ferguson) (Coauthors Assembly Members Dennis Brown, Frazee, Johnson, and Lewis)
984	—	1481	Keene
985	—	1573	Boatwright
986	—	1777	Beverly
987	—	1898	Garamendi
988	—	1899	Senators Avala, Alquist, Calderon, Craven, Cecil Green, Bill Greene, Hill, Kopp, McCorquodale, Nielsen, Petris, Presley, Rogers, Vuich, and Watson (Coauthors Assembly Members Baker, Clute, Eaves, Elder, Friedman, Frizzelle, Hansen, Hughes, Jones, Quackenbush, Statham, and Wyman)
989	—	2197	Garamendi
990	—	2244	Davis
991	—	2731	Nielsen (Coauthor Assembly Member Hansen)
992	—	2791	Garamendi
993	—	2800	Presley
994	—	2812	Ayala
995	115	—	Harvey
996	2609	—	Hughes (Coauthors Assembly Members Bane, Bates, Eastin, Filante, Frazee, Frizzelle, Hauser, Mojonnier, Roybal-Allard, and Statham) (Coauthors Senators Dills, McCorquodale, Nielsen, Rosenthal, Seymour, Torres, and Watson)
997	2695	—	Johnston
998	2789	—	Quackenbush
999	2920	—	Areias, Peace, and Speier (Coauthors Senators Cecil Green, Marks, and Petris)
1000	3012	—	Speier
1001	3107	—	Farr and Cortese
1002	3179	—	Norman Waters
1003	3213	—	Jones
1004	3261	—	Hunter
1005	3314	—	Harris
1006	3380	—	Baker
1007	4148	—	Cortese, Costa, Farr, Jones, Speier, and Wyman
1008	4164	—	Mountjoy
1009	4227	—	Quackenbush
1010	4294	—	Tanner
1011	4013	—	Burton
1012	—	1876	McCorquodale
1013	—	2010	Leroy Greene
1014	—	2519	Lockyer
1015	—	2525	Vuich
1016	—	2782	Marks
1017	775	—	Eaves
1018	2259	—	Bentley
1019	2544	—	Tanner
1020	2682	—	Moore
1021	2698	—	Floyd
1022	3039	—	Floyd
1023	3073	—	Woodruff
1024	3092	—	Leslie
1025	3121	—	Costa
1026	3148	—	Statham, Costa, Harvey, Jones, and Speier (Coauthors Senators Alquist, Davis, and Rogers)
1027	3319	—	McClintock (Principal coauthor Assembly Member Frazee)
1028	3328	—	Bates (Principal coauthor Senator Presley)
1029	3420	—	Woodruff and Vasconcellos
1030	3460	—	Margolin
1031	3486	—	Epple
1032	3799	—	Johnston and Baker
1033	3826	—	Hayden
1034	4059	—	Wyman
1035	4064	—	Epple, Eaves, Lempert, Peace, and Roos (Principal coauthor Senator Vuich) (Coauthor Senator Kopp)
1036	4089	—	Cannella (Coauthor Assembly Members O'Connell and Peace) (Coauthor Senator McCorquodale)
1037	4186	—	Polanco (Principal coauthor Senator Calderon)
1038	4206	—	Harris
1039	4305	—	Farr
1040	—	240	Bill Greene
1041	—	577	Maddy
1042	—	677	Beverly
1043	—	785	Robbins
1044	—	1703	Presley
1045	—	1839	Doolittle
1046	—	2009	Craven (Coauthors Senators Deddeh, Leroy Greene, McCorquodale, Nielsen, and Presley) (Coauthors Assembly Members Bronzan, Clute, Cortese, Eastin, Eaves, Elder, Hunter, Mojonnier, O'Connell, Peace, and Sher)
1047	—	2021	Alquist
1048	—	2186	Royce
1049	—	2233	Presley (Coauthor Assembly Member Murray)
1050	—	2293	Watson
1051	—	2323	Maddy
1052	—	2499	Presley
1053	—	2516	Presley
1054	—	2774	Torres
1055	—	2894	Alquist

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Ch No	A B No	S B No	Author
1056	3915	—	Willie Brown (Principal coauthor Senator Kopp) (Coauthors Assembly Members Areias, Bates, Burton, Cortese, Eastin, Farr, Harris, Klehs, Quackenbush, Speier, and Vasconcellos) (Coauthors Senators Alquist, Lockyer, Marks, and Mello)
1057	3609	—	Chandler
1058	3099	—	Norman Waters (Principal coauthor Assembly Member Johnston)
1059	3996	—	Statham
1060	3000	—	Isenberg
1061	—	464	Robbins
1062	—	910	Vuich
1063	—	2797	Beverly
1064	—	379	Davis
1065	—	2753	Lockyer
1066	2625	—	Katz
1067	—	2343	Mello
1068	3603	—	Costa, Johnston, and Jones
1069	—	1186	Robbins
1070	—	2251	Seymour
1071	2833	—	Margolin
1072	3256	—	Dennis Brown
1073	3914	—	Wyman
1074	4106	—	Polanco
1075	4143	—	Epple
1076	4304	—	Costa
1077	—	17	Lockyer (Principal coauthor Assembly Member Baker)
1078	—	786	Presley
1079	—	1107	Kopp (Coauthors Senators McCorquodale and Montoya) (Coauthors Assembly Members Epple, Filante, Harvey, Peace, and Speier)
1080	—	1523	Kopp
1081	—	1589	Vuich
1082	—	1742	Leroy Greene
1083	—	1830	Cecil Green (Principal coauthor Assembly Member Hansen) (Coauthors Senators Ayala, Bergeson, Craven, Bill Greene, Keene, Marks, Nielsen, and Presley) (Coauthors Assembly Members Bane, Bronzan, Calderon, Cortese, Epple, Filante, Frizzelle, Harvey, Hauser, Lempert, Mojonnier, O'Connell, Vasconcellos, and Woodruff)
1084	—	2053	Cecil Green (Principal coauthor Senator Royce)
1085	—	2123	Doolittle
1086	—	2214	Boatwright
1087	—	2512	McCorquodale
1088	—	2575	Kopp
1089	—	2861	Presley (Principal coauthor Assembly Member Clute)
1090	—	2050	Keene and Presley (Principal coauthor Assembly Members Mountjoy and Peace)
1091	1111	—	Ferguson
1092	1162	—	Polanco
1093	2595	—	Tanner
1094	2622	—	Eastin and Hauser (Principal coauthor Senator Killea) (Coauthor Senator Marks) (Coauthors Assembly Members Farr, Filante, Hayden, Lempert, and Margolin)
1095	3381	—	Baker (Principal coauthor Senator Roberti) (Coauthors Assembly Members Eastin, Hansen, Johnston, Speier, and Statham)
1096	3407	—	Tucker
1097	3551	—	Sher
1098	3610	—	Speier
1099	3746	—	Johnston
1100	3772	—	Mountjoy
1101	3903	—	Sher (Principal coauthor Assembly Member Frizzelle)
1102	4004	—	Lancaster
1103	4217	—	Lempert and O'Connell
1104	—	1307	Garamendi
1105	—	1947	Seymour (Coauthors Senators Davis, Deddeh, Dills, Cecil Green, McCorquodale, Morgan, Nielsen, Robbins, and Watson) (Coauthors Assembly Members Bane, Clute, Filante, Harvey, La Follette, and Speier)
1106	—	2106	Doolittle
1107	—	2192	Watson
1108	3679	—	Cortese
1109	—	2111	Senators Petris, Marks, and Roberti
1110	—	2179	Robbins
1111	2666	—	Hansen (Principal Assembly coauthor Assembly Member Cortese) (Principal Senate Coauthor Senator Cecil Green) (Coauthors Assembly Members Bane, Bronzan, Calderon, Epple, Filante, Frizzelle, Harvey, Hauser, Lempert, Mojonnier, Nolan, O'Connell, Seastrand, Vasconcellos, and Woodruff) (Coauthors Senators Ayala, Bergeson, Craven, Bill Greene, and Presley)
1112	2771	—	Cortese
1113	3193	—	Polanco
1114	3220	—	Friedman
1115	3396	—	Baker
1116	3476	—	Peace
1117	1696	—	Bronzan and Murray (Principal coauthor Senator Roberti) (Coauthor Senator Presley)
1118	3643	—	Johnston (Principal coauthors Senators Boatwright and Vuich) (Coauthors Assembly Members Bane, Bronzan, Campbell, Chacon, Clute, Connelly, Costa, Eastin, Eaves, Elder, Epple, Farr, Friedman, Hannigan, Harris, Hauser, Hayden, Isenberg, Katz, Klehs, Lempert, Margolin, Murray, Peace, Speier, Tucker, Vasconcellos, and Norman Waters) (Coauthors Senators Davis, Dills, Leroy Greene, Keene, Killea, Kopp, Lockyer, and McCorquodale)
1119	3680	—	Farr
1120	3773	—	Hannigan (Coauthor Senator Keene)
1121	3795	—	Eaves
1122	3797	—	Lancaster
1123	3861	—	Farr
1124	3870	—	Statham
1125	3881	—	Dennis Brown
1126	3894	—	Filante
1127	3950	—	Lempert
1128	3968	—	Costa
1129	4176	—	Bronzan
1130	4302	—	Frazee and Eastin (Principal coauthor Assembly Member Hauser)
1131	4349	—	Filante
1132	3642	—	Johnston, Clute, Eaves, Epple, Farr, Moore, Peace, and Speier (Coauthors Senators Marks and Robbins)
1133	3536	—	Eastin
1134	—	1967	Lockyer
1135	—	823	Bergeson (Coauthor Assembly Member Chandler)
1136	—	1561	Seymour
1137	—	1907	Mello
1138	—	2033	Mello
1139	—	2039	Bergeson
1140	—	2149	McCorquodale
1141	—	2295	Morgan
1142	—	2382	Deddeh (Coauthors Senators Alquist, Keene, McCorquodale, and Torres) (Coauthors Assembly Members Chacon, Frazee, Friedman, Hughes, Peace, and Roybal-Allard)
1143	—	2520	Keene (Coauthor Assembly Member Hauser)
1144	—	2751	Marks
1145	325	—	Clute, Chacon, and Filante
1146	2964	—	Leslie (Principal coauthor Assembly Member Wyman) (Coauthors Assembly Members Chacon, Chandler, Johnson,

TABLE OF LAWS ENACTED—Continued

1990

Ch No	A B No.	S B No	Author
			Seastrand, Statham, and Woodruff) (Coauthors Senators Doolittle and Nielsen)
1147	2977	—	Eastin
1148	3417	—	Margolin
1149	3425	—	Lancaster
1150	3529	—	Chacon
1151	4046	—	Hauser, Felando, and Filante (Coauthor Senator Craven)
1152	4118	—	Epple
1153	4300	—	Farr
1154	—	389	Seymour
1155	—	2172	Kopp (Principal coauthor Assembly Member Peace) (Coauthors Senators Ayala, Bergeson, Deddeh, Doolittle, and Nielsen) (Coauthors Assembly Members Allen, Dennis Brown, Eaves, Epple, Filante, Harvey, Hunter, Lempert, Leslie, McClintock, O'Connell, Pringle, Statham, and Wyman)
1156	—	2195	Bergeson
1157	—	2255	Mello
1158	—	2354	Deddeh
1159	—	2580	Mello
1160	3601	—	Costa
1161	3543	—	Harvey
1162	—	2063	Robbins and Doolittle
1163	—	2733	Rosenthal and Torres (Coauthors Assembly Members Allen, Eastin, Epple, Friedman, Margolin, O'Connell, and Speier)
1164	—	2792	Nielsen (Coauthor Senator Keene) (Coauthors Assembly Members Hauser and Filante)
1165	—	2902	Hill (Coauthor Assembly Member Speier) (Principal coauthor Senator Cecil Green) (Principal coauthors Assembly Members Areias and Farr)
1166	—	2596	Robbins (Coauthor Assembly Members Farr and Moore)
1167	2627	—	Moore
1168	3897	—	Willie Brown
1169	—	2608	Cecil Green (Principal coauthor Senator Ayala)
1170	—	1120	Seymour, Deddeh, Kopp, and Nielsen (Coauthors Assembly Members Chandler, Cortese, Farr, and Filante)
1171	—	2098	Maddy
1172	—	2469	Cecil Green
1173	563	—	Hannigan (Coauthors Senators Nielsen and Torres)
1174	582	—	Elder
1175	925	—	O'Connell, Chandler, Eastin, Eaves, Epple, Farr, Frizzelle, Harvey, Speier, and Norman Waters (Coauthors Senators Dills, Cecil Green, McCorquodale, and Torres)
1176	1026	—	Hansen
1177	1375	—	Costa
1178	1629	—	Elder
1179	1644	—	Peace
1180	1753	—	Friedman
1181	1925	—	Epple, Bane, Bradley, Eaves, Lempert, Murray, O'Connell, Peace, Tucker, and Norman Waters
1182	2158	—	Costa
1183	2226	—	Epple (Coauthors Assembly Members Areias, Eaves, Elder, Filante, Friedman, Johnston, Margolin, O'Connell, Peace, Speier, and Vasconcellos) (Coauthors Senators Davis, Bill Greene, Killea, McCorquodale, and Rosenthal)
1184	2715	—	Moore
1185	2737	—	Johnston (Principal coauthor Assembly Member Moore) (Principal coauthor Senator Robbins)
1186	2774	—	Eastin and Johnston
1187	2785	—	Katz
1188	3018	—	Tanner
1189	3435	—	Campbell
1190	3627	—	Wright
1191	3653	—	Harris
1192	3719	—	Chandler
1193	3766	—	Committee on Human Services (as presented by Assembly Member Bates on behalf of the Committee) (Coauthors Assembly Members Bronzan, Floyd, Hunter, Peace, and Tucker)
1194	3905	—	Quackenbush
1195	3985	—	Moore
1196	4008	—	Clute
1197	4023	—	Cortese
1198	4065	—	Lempert
1199	4191	—	Wright
1200	4251	—	Clute (Principal coauthor Senator Killea)
1201	4284	—	Elder (Principal coauthor Assembly Member Statham)
1202	—	1266	Davis (Coauthor Assembly Member Johnston)
1203	3072	—	Eastin
1204	3234	—	O'Connell
1205	—	2621	Mello (Coauthor Assembly Member Farr)
1206	3929	—	Jones
1207	3242	—	Lancaster
1208	—	2427	Mello
1209	756	—	Isenberg, Mojonnier, and Murray
1210	779	—	Eastin
1211	910	—	La Follette, Mojonnier, Allen, Bentley, Eastin, Hansen, Hughes, Killea, Roybal-Allard, Speier, Tanner, and Maxine Waters (Coauthors Senators Alquist, Ayala, Bergeson, Beverly, Davis, Deddeh, Dills, Leroy Greene, Lockyer, Morgan, Nielsen, Presley, and Torres)
1212	2063	—	Clute
1213	2340	—	Farr (Principal coauthors Assembly Members Seastrand and Katz) (Coauthors Assembly Members Bradley, Chacon, Clute, Costa, Eastin, Eaves, Jones, O'Connell, and Statham) (Coauthors Senators Alquist and Cecil Green)
1214	2606	—	Polanco (Principal coauthor Assembly Member Eastin) (Coauthors Senators Calderon and Dills) (Coauthors Assembly Members Chacon, Harris, Katz, Moore, Murray, Tucker, and Maxine Waters)
1215	2518	—	Tucker
1216	2554	—	Quackenbush
1217	2730	—	La Follette
1218	2850	—	Hauser (Principal coauthor Assembly Member O'Connell)
1219	2965	—	Eastin
1220	2980	—	Wright
1221	3003	—	Bader
1222	3024	—	Polanco
1223	3114	—	Chacon
1224	3123	—	Pringle
1225	3282	—	Bates
1226	3395	—	Eastin
1227	3413	—	Polanco
1228	3421	—	Costa
1229	3588	—	Speier
1230	3625	—	Farr (Principal coauthors Assembly Members Baker and Vasconcellos) (Principal coauthor Senator Torres)
1231	3794	—	Eaves
1232	3820	—	Willie Brown
1233	3833	—	Moore
1234	3880	—	Farr
1235	3926	—	Friedman
1236	4033	—	Roybal-Allard
1237	4098	—	Sher
1238	4276	—	Baker
1239	2076	—	Johnston
1240	—	209	Morgan (Principal coauthor Assembly Member Quackenbush)
1241	—	403	Watson, Bill Greene, Marks, McCorquodale, Montoya, Morgan, Roberti, and Rosenthal

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1990

Ch No	AB No	SB No.	Author
1242	—	433	Davis
1243	—	1647	Rosenthal
1244	—	1768	Presley
1245	—	1923	Doolittle
1246	—	1979	Robbins (Coauthor Assembly Member Johnston)
1247	—	2024	Mello
1248	—	2040	Senators Keene, Alquist, Ayala, Bergeson, Beverly, Boatwright, Calderon, Craven, Davis, Deddeh, Dills, Doolittle, Garamendi, Cecil Green, Bill Greene, Leroy Greene, Hill, Killea, Kopp, Leonard, Lockyer, Maddy, Marks, McCorquodale, Mello, Morgan, Nielsen, Petris, Presley, Robbins, Roberti, Rosenthal, Royce, Seymour, Torres, Vuich, and Watson
1249	—	2065	Davis
1250	—	2234	Presley
1251	—	2465	Cecil Green
1252	—	2521	Davis and Presley
1253	—	2796	Roberti
1254	—	2904	Calderon, Ayala, Deddeh, Doolittle, Cecil Green, Hill, Nielsen, and Presley (Coauthors Assembly Members Areias, Bronzan, Chacon, Eaves, Epple, Filante, Hansen, Harvey, Katz, La Follette, Nolan, Peace, Pringle, Tucker, and Wyman)
1255	—	732	Beverly
1256	2649	—	Johnson
1257	—	2632	Roberti (Coauthor Assembly Member Peace)
1258	—	1569	Keene (Principal coauthor Assembly Member Statham) (Principal coauthor Senator Nielsen)
1259	170	—	Floyd
1260	—	2361	Rosenthal
1261	87	—	O'Connell and Wilhe Brown (Principal coauthor Senator Craven)
1262	2012	—	Farr
1263	2875	—	O'Connell
1264	—	2685	Russell
1265	2597	—	Tanner
1266	2641	—	Wright and Tanner
1267	2794	—	Wright
1268	—	1857	Torres
1269	3659	—	Connelly
1270	—	2007	Craven
1271	—	2545	Vuich and Maddy
1272	—	2823	Garamendi
1273	—	2905	Calderon
1274	1490	—	Sher and Hauser
1275	764	—	Marston
1276	1325	—	Norman Waters
1277	1874	—	Jones, Condit, Hauser, Kelly, and Norman Waters
1278	2245	—	Hannigan
1279	2542	—	Tanner (Principal coauthors Assembly Members Eastin, Hansen, Hughes, Hunter, Mojonnier, Moore, Roybal-Allard, and Speier) (Principal coauthors: Senators Killea, Morgan, Vuich, and Watson)
1280	2657	—	Burton
1281	2874	—	Tucker (Principal coauthor Senator Cecil Green)
1282	2949	—	Harris
1283	3027	—	Floyd
1284	3049	—	Bentley
1285	3401	—	Norman Waters
1286	3896	—	Wilhe Brown (Principal coauthors Assembly Members Burton and Speier) (Principal coauthors Senators Kopp and Marks)
1287	3419	—	Woodruff
1288	3705	—	Hauser and O'Connell (Coauthor Senator Keene)
1289	4082	—	the Assembly Committee on Governmental Efficiency and Consumer Protection (as presented by Assembly Member Chandler on behalf of the committee)
1290	4212	—	Connelly (Principal coauthor Senator Mello)
1291	4282	—	Johnston and Connelly
1292	—	522	Alquist
1293	—	1147	Lockyer
1294	—	1845	Torres
1295	—	1920	Torres (Principal coauthor Senator Roberti) (Coauthor Senator Hill) (Coauthors Assembly Members Bane, Chacon, Farr, Filante, Friedman, and Polanco)
1296	—	2061	Killea
1297	—	2144	Dills
1298	—	2152	Marks
1299	—	2220	Seymour (Coauthors Senators Doolittle and Nielsen) (Coauthors Assembly Members Bader, Chandler, Ferguson, and Nolan)
1300	—	2230	Robbins
1301	—	2292	Morgan
1302	—	2298	Davis
1303	—	2305	Ayala
1304	—	2359	Leroy Greene and Kopp
1305	—	2627	Beverly
1306	—	2638	Craven
1307	—	2649	Morgan
1308	—	2650	Davis
1309	—	2664	Presley
1310	—	2665	Presley
1311	—	2674	Leroy Greene
1312	—	2695	Bergeson
1313	—	2718	Watson
1314	—	2729	Marks
1315	—	2750	Marks
1316	—	2759	Mello
1317	—	2765	Killea
1318	—	2819	Robbins
1319	—	2992	Royce
1320	4087	—	Friedman, Bentley, Chacon, Katz, Margolin, Moore, Murray, Roos, and Roybal-Allard
1321	—	1446	Presley (Principal coauthor Senator Bergeson) (Principal coauthors Assembly Members Clute and Kelley)
1322	—	1999	Bergeson
1323	—	1409	Senators Presley, Bergeson, and Davis (Coauthors Assembly Members Bronzan and Wright)
1324	3106	—	Klehs
1325	3515	—	Bane
1326	3480	—	Mountjoy
1327	1172	—	Costa (Coauthor Senator Maddy)
1328	—	196	Killea (Coauthor Senator Robbins) (Principal coauthor Assembly Member Katz) (Coauthors. Assembly Members Clute and Eaves)
1329	—	1524	Mello
1330	—	2788	Russell, Bergeson, and Doolittle (Coauthors Assembly Members Ferguson, Hansen, Mojonnier, and Polanco)
1331	1428	—	Hannigan
1332	2951	—	Clute
1333	3459	—	Friedman
1334	3492	—	Roos
1335	3594	—	Speier
1336	3600	—	Polanco (Principal coauthor Assembly Member Klehs)
1337	3620	—	O'Connell
1338	3624	—	Wright
1339	4333	—	Quackenbush
1340	—	1643	Hart
1341	—	2407	Watson
1342	—	2501	Presley
1343	—	2622	Maddy
1344	—	1895	Seymour
1345	—	2038	Bergeson (Principal coauthor Senator Torres) (Coauthors Senators Roberti and Watson) (Principal coauthor Assembly Member Norman Waters)
1346	—	2147	Petris (Coauthor Assembly Member

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1990

Ch No	A B No	S.B No.	Author
			Hughes)
1347	—	2208	Morgan (Coauthors Senators Bergeson, Killea, Vuich, and Watson) (Coauthors Assembly Members Bentley, Hansen, Hughes, Hunter, and La Follette)
1348	—	2252	Boatwright
1349	—	1925	Garamendi
1350	—	2268	Bergeson
1351	—	2429	Mello and Keene (Principal coauthor Assembly Member Hansen)
1352	2912	—	Eaves
1353	2952	—	Sher
1354	2999	—	Polanco
1355	3992	—	Sher
1356	4076	—	Johnston
1357	4156	—	Norman Waters
1358	4261	—	Hansen, Bentley, Clute, Costa, Eaves, Ferguson, Frazee, Harvey, Johnson, Kelley, La Follette, Leslie, McClintock, Peace, Pringle, Woodruff, and Wyman (Coauthors Senators Calderon, Hill, Nielsen, Rogers, and Seymour)
1359	55	—	Hansen (Principal coauthor Assembly Member Filante) (Coauthors Assembly Members Baker, Bane, Bradley, Calderon, Costa, Farr, Lempert, and Peace)
1360	—	1510	Russell
1361	—	2486	Rogers
1362	2561	—	Katz
1363	3532	—	Woodruff, Baker, Chacon, Chandler, Farr, Filante, Frizzelle, Hill, Mojonnier, Pringle, Vasconcellos, and Wyman (Coauthor Senator Doolittle)
1364	3637	—	Farr and Johnston
1365	3856	—	Sher
1366	—	2004	Keene
1367	—	2671	Presley
1368	—	1780	Robbins (Coauthor Assembly Member Maxine Waters)
1369	—	539	Rosenthal
1370	—	615	Cecil Green
1371	—	1750	Hart and McCorquodale
1372	—	1854	Morgan
1373	—	2434	Davis
1374	—	2446	Craven, Alquist, Ayala, Doolittle, Cecil Green, Leroy Greene, Kopp, McCorquodale, and Presley (Coauthors Assembly Members Eaves, Elder, Hansen, Hughes, Hunter, Marston, Mojonnier, Pringle, and Sher)
1375	—	2569	Rosenthal (Principal coauthor Senator Robbins) (Coauthors Assembly Members Friedman and Margolin)
1376	—	2691	Bergeson
1377	—	2869	Rosenthal
1378	—	2907	Calderon
1379	119	—	Floyd
1380	541	—	Farr
1381	637	—	Speier
1382	881	—	Hughes
1383	1651	—	Leslie
1384	1675	—	Friedman
1385	1871	—	Leslie
1386	2282	—	Eastin
1387	2663	—	Peace (Coauthors Assembly Members Bane, Eaves, and Tucker) (Coauthor Senator Calderon)
1388	2842	—	Felando
1389	2963	—	Klehs (Coauthor Assembly Member Filante) (Coauthor Senator Robbins)
1390	3042	—	Elder
1391	3096	—	Harris
1392	3136	—	McClintock
1393	3427	—	The Assembly Committee on Governmental Efficiency and Consumer Protection
1394	3532	—	Roos (Coauthor Senator Roberti)
1395	3578	—	Clute, Allen, Bronzan, Chacon, Cortese, Hughes, Johnston, Peace, Polanco, Speer, and Statham (Coauthor Senator Vuich)
1396	3654	—	Vasconcellos and Burton
1397	3901	—	Bentley
1398	3942	—	Harvey (Principal coauthor Assembly Member Farr)
1399	—	2317	Lockyer
1400	322	—	Maxine Waters (Coauthors Senators Davis, Dills, Cecil Green, Killea, and Seymour)
1401	373	—	Elder (Coauthors Assembly Members Bane, Chacon, Eaves, and Killea) (Coauthors Senators Dills, Cecil Green, Kopp, Presley, and Seymour)
1402	1721	—	Friedman, Bates, Burton, Murray, Roos, Speier, Tucker, and Vasconcellos (Coauthors Senators Marks, Roberti, and Rosenthal)
1403	2040	—	Farr
1404	2434	—	Elder
1405	2571	—	Vasconcellos
1406	2707	—	La Follette
1407	2817	—	Bane
1408	3028	—	Floyd
1409	3253	—	Eaves
1410	3470	—	Burton
1411	3580	—	Katz, Bane, Chacon, Eaves, Epple, Friedman, and Murray
1412	3850	—	Willie Brown
1413	3994	—	Sher, Eastin, and Moore
1414	4165	—	Eastin and Hannigan
1415	—	606	Cecil Green
1416	—	737	Marks
1417	—	2031	Presley (Principal coauthor Senator Nielsen) (Principal coauthors Assembly Members Katz and Leslie) (Coauthors Senators Alquist, Ayala, Bergeson, Boatwright, Craven, Davis, Dills, Cecil Green, Bill Greene, Leroy Greene, Keene, Killea, Kopp, Lockyer, McCorquodale, Mello, Petris, Robbins, Rosenthal, Russell, Seymour, Torres, and Vuich) (Coauthors Assembly Members Allen, Bane, Bronzan, Chacon, Chandler, Clute, Costa, Eastin, Eaves, Elder, Epple, Farr, Filante, Jones, Lempert, Mojonnier, Nolan, O'Connell, Peace, and Tucker)
1418	—	2281	Robbins
1419	—	2607	Seymour
1420	—	2642	Robbins (Coauthor Assembly Member Epple)
1421	—	2714	Vuich (Coauthors Assembly Members Bronzan, Costa, and Jones)
1422	4230	—	Burton
1423	—	2810	Marks
1424	2110	—	Wright
1425	2849	—	Hauser
1426	2994	—	Eaves
1427	3154	—	Chacon
1428	3559	—	Cortese (Coauthor Senator Killea)
1429	3751	—	Bronzan
1430	4109	—	Chacon
1431	4224	—	Lancaster
1432	4070	—	Connelly (Principal coauthor Senator Presley) (Coauthors Assembly Members Cortese, Costa, Eastin, Epple, Farr, Hill, Katz, and Sher) (Coauthors Senators Leroy Greene, Kopp, McCorquodale, Rosenthal, and Watson)
1433	—	1874	Presley (Principal coauthor Assembly Member Connelly)
1434	—	1547	Maddy and Keene
1435	—	1885	Beverly
1436	—	1286	Seymour
1437	—	1908	Mello
1438	—	1913	Petris
1439	—	2011	Leroy Greene
1440	—	2012	Leroy Greene (Coauthor Assembly Member Hughes)
1441	—	2274	Bergeson (Principal coauthor Assembly Member Hauser)

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Ch No	AB No	SB No	Author
1442	—	476	Robbins
1443	—	1452	Garamendi (Coauthors Assembly Members Areias, Farr, and Hughes)
1444	—	1636	Roberti
1445	—	1654	Alquist
1446	—	1767	Presley
1447	—	1818	Davis (Coauthor Senator Keene) (Coauthor Assembly Member Hauser)
1448	—	1862	McCorquodale (Principal coauthor Assembly Member Nolan)
1449	—	2013	Robbins
1450	—	2046	Lockyer (Coauthor Assembly Member Eastin)
1451	—	2065	Senators Roberti and Deddeh
1452	—	2092	Hart
1453	—	2330	Killea and Presley
1454	—	2333	Killea
1455	—	2374	Presley
1456	—	2476	Seymour
1457	—	2652	Russell and Kopp (Coauthors Assembly Members Dennis Brown, Ferguson, Frizzelle, and Wyman)
1458	—	2785	Presley
1459	981	—	Lempert
1460	2735	—	Allen
1461	2788	—	Eaves
1462	2899	—	Hunter
1463	2939	—	Campbell and Bates
1464	2985	—	Quackenbush
1465	3111	—	Filante (Principal coauthor Assembly Member Floyd)
1466	3223	—	Campbell
1467	3393	—	Wright
1468	3436	—	Isenberg
1469	3490	—	Willie Brown, Burton, and Speier
1470	3517	—	Ferguson
1471	3646	—	Vasconcellos, Areias, and Peace (Coauthors Senators Alquist, Bergeson, Deddeh, Nielsen, and Roberti)
1472	3815	—	Roos
1473	3816	—	Roos
1474	3977	—	Johnston, Farr, Hayden, and Statham (Principal coauthor Assembly Member Cannella)
1475	3995	—	Sher
1476	4052	—	Maxine Waters
1477	4126	—	Chacon
1478	3768	—	Hughes
1479	—	194	Morgan
1480	—	2424	Royce
1481	—	519	Maddy
1482	—	1584	Vuich
1483	—	2181	Leroy Greene
1484	—	2735	Calderon
1485	374	—	Klehs
1486	596	—	Statham (Principal coauthor Assembly Member Chandler)
1487	2835	—	Quackenbush
1488	2989	—	Hunter
1489	3068	—	Murray (Coauthor Senator Bergeson)
1490	3736	—	Costa (Principal coauthor Assembly Member Roos)
1491	3765	—	Committee on Judiciary (as presented by Assembly Member Isenberg on behalf of the Committee) (Coauthors Assembly Members Isenberg, Connelly, Friedman, Harris, Johnston, Leslie, McClintock, Mojonnier, Speier, Statham, and Maxine Waters)
1492	4288	—	Hill
1493	3974	—	the Assembly Committee on Judiciary (as presented by Assembly Member Isenberg on behalf of the committee) (Coauthors Assembly Members Connelly, Friedman, Harris, Johnston, McClintock, Mojonnier, Statham, and Maxine Waters)
1494	3843	—	Cannella
1495	4044	—	Campbell
1496	2067	—	Eastin
1497	2311	—	Hannigan
1498	2954	—	Peace
1499	2959	—	Klehs (Coauthors Assembly Members Cortese, Filante, and Lempert)
1500	3005	—	Mojonnier
1501	3040	—	Speier (Coauthor Assembly Member O'Connell)
1502	3043	—	Johnston
1503	3063	—	Chandler
1504	3138	—	Filante
1505	3139	—	Filante
1506	3167	—	Speier
1507	3170	—	Speier
1508	3216	—	McClintock
1509	3263	—	Filante
1510	3291	—	Areias
1511	3313	—	Woodruff
1512	3334	—	Johnston
1513	3352	—	Speier and Farr (Coauthor Senator Watson)
1514	3587	—	Farr
1515	3410	—	Polanco
1516	3439	—	Bronzan
1517	3689	—	Hauser
1518	3845	—	Murray
1519	3954	—	Woodruff
1520	4138	—	Eaves
1521	—	95	Robbins
1522	—	511	Ayala and Dills
1523	—	1352	Alquist and McCorquodale (Principal coauthor Assembly Member Hughes)
1524	—	1930	Maddy
1525	—	2132	Mello
1526	—	2183	Robbins (Coauthor Assembly Member Farr)
1527	—	2184	Senators Royce, Nielsen, and Robbins (Coauthors Assembly Members Allen, Dennis Brown, Chandler, Ferguson, Filante, Frizzelle, Harvey, Lewis, McClintock, Nolan, Pringle, Quackenbush, Roos, Woodruff, and Wyman)
1528	—	2196	Garamendi
1529	—	2203	Craven and Presley (Principal coauthor Assembly Member Wright) (Coauthors Assembly Members Chacon and Eastin)
1530	—	2232	Presley
1531	—	2336	Roberti and Keene
1532	—	2365	Keene (Coauthor Assembly Member Filante)
1533	—	2455	Morgan (Principal coauthor Assembly Member Hansen) (Coauthors Senators Craven, Doolittle, and Petris) (Coauthors Assembly Members Bane, Dennis Brown, Chacon, Felando, Nolan, Peace, Quackenbush, Speier, and Statham)
1534	—	2491	Vuich
1535	—	2508	Petris
1536	—	2515	Presley (Coauthor Assembly Member Eastin)
1537	—	2641	Torres, Cecil Green, Bill Greene, McCorquodale, Petris, Roberti, and Watson (Coauthors Assembly Members Cortese, Eastin, Friedman, and Maxine Waters)
1538	—	2723	Robbins
1539	—	2827	Roberti (Principal coauthor Senator Mello)
1540	—	611	Cecil Green (Principal coauthor Senator Leonard) (Coauthor Assembly Member Eastin)
1541	—	1341	Hart
1542	—	2187	Royce
1543	—	2310	Bergeson
1544	—	2470	Cecil Green
1545	—	2494	Vuich, Kopp, and McCorquodale (Principal coauthor Senator Boatwright) (Principal coauthors Assembly Member Epple) (Coauthors Assembly Members Mojonnier and Peace)
1546	—	2577	Kopp
1547	—	2602	Keene, Beverly, Calderon, Craven, Cecil

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1990

Ch No	AB No	SB No	Author
			Green, Lockyer, Maddy, McCorquodale, Nielsen, Roberti, and Watson (Coauthors Assembly Members Connelly, Eastin, Hauser, and Statham)
1548	—	2899	Cecil Green
1549	2729	—	Areias
1550	2910	—	Margolin
1551	4042	—	Campbell
1552	4068	—	the Assembly Committee on Human Services (as presented by Assembly Member Bates on behalf of the committee) (Coauthors Assembly Members Bronzan, Floyd, Peace, and Tucker)
1553	4151	—	Clute
1554	4152	—	Cannella
1555	4293	—	Harris
1556	—	1274	Hart (Principal coauthors Senators Morgan and Seymour) (Principal coauthors Assembly Members Johnson, Nolan, and Vasconcellos) (Coauthors Senators Ayala, Bergeson, Cecil Green, Kopp, Lockyer, Montoya, Nielsen, and Petris) (Coauthors Assembly Members Baker, Chacon, Chandler, Ferguson, Harris, Harvey, La Follette, Mojonnier, Pringle, Quackenbush, Speier, Statham, and Wyman)
1557	—	1334	Bergeson (Principal coauthor Assembly Member Marston) (Coauthor Assembly Member Pringle)
1558	—	1821	Bergeson (Coauthor Assembly Member Katz)
1559	—	1990	Ayala
1560	—	2079	Roberti
1561	—	2594	Robbins
1562	—	2832	Robbins
1563	3243	—	Lancaster
1564	—	2322	Davis
1565	—	1436	Seymour
1566	—	1435	Seymour
1567	—	1437	Seymour
1568	312	—	Eastin (Principal coauthor Senator Bill Greene) (Coauthors Assembly Members Bentley, Cannella, Chacon, Hansen, Hunter, Johnston, Jones, Moore, Murray, Roybal-Allard, and Tanner) (Coauthors Senators Garamendi, Killea, Morgan, Nielsen, and Rosenthal)
1569	2459	—	Klehs
1570	2617	—	Felando
1571	3067	—	Hayden
1572	3228	—	Frazee
1573	3397	—	Hayden, Clute, Farr, Hansen, Lempert, Murray, O'Connell, Speier, and Vasconcellos
1574	3560	—	Sher and Marston
1575	—	308	Seymour (Coauthor Senator Presley) (Coauthor Assembly Member Hauser)
1576	—	2722	Cecil Green
1577	—	2808	Vuich
1578	—	108	Lockyer (Coauthor Senator Marks) (Coauthors Assembly Members Klehs, Speier, and Norman Waters)
1579	—	2453	Maddy
1580	—	2863	Presley
1581	548	—	Moore
1582	1166	—	Hansen (Principal coauthor Assembly Member Bentley) (Coauthors Assembly Members Areias, Bane, Bronzan, Cannella, Chandler, Clute, Cortese, Costa, Farr, Frazee, Hannigan, Harvey, Hauser, Hunter, Jones, Kelley, Marston, Mojonnier, Peace, Seastrand, Statham, Norman Waters, Woodruff, Wright, and Wyman) (Coauthors Senators Leonard, Nielsen, and Vuich)
1583	3014	—	Lancaster
1584	3708	—	Campbell
1585	3764	—	Committee on Judiciary (as presented by Assembly Member Mojonnier on behalf of the Committee) (Coauthors Assembly Members Connelly, Friedman, Harris, Isenberg, Johnston, Leslie, McClintock, Speier, Statham, and Maxine Waters)
1586	—	623	Royce
1587	—	1570	Nielsen, Bergeson, Cecil Green, Kopp, Morgan, Seymour, Torres, and Watson (Principal coauthors Assembly Members Hayden and Vasconcellos) (Coauthors Assembly Members Allen, Bradley, Chandler, Hansen, Statham, and Wyman)
1588	—	1802	Leroy Greene
1589	—	1844	Alquist
1590	—	1865	Craven, Alquist, Ayala, Boatwright, Davis, Deddeh, Dills, Bill Greene, Leroy Greene, Killea, Kopp, Marks, McCorquodale, Morgan, Nielsen, Presley, Robbins, Roberti, Russell, and Seymour (Principal coauthors Assembly Members Harvey and Tanner) (Coauthors Assembly Members Bane, Clute, Connelly, Cortese, Eaves, Harvey, Kelley, Lancaster, Mojonnier, Peace, Speier, and Statham)
1591	—	1894	Ayala
1592	—	1931	Davis
1593	—	1963	Senators Rogers and Vuich
1594	—	2000	Presley
1595	—	2137	Robbins
1596	—	2194	Morgan
1597	—	2375	Presley (Principal coauthor Assembly Member Speier) (Coauthor Assembly Member Filante)
1598	—	2439	Rosenthal
1599	—	2592	Kopp
1600	—	2601	Keene
1601	—	2647	Rosenthal, Alquist, Craven, Dills, and Mello (Principal coauthor Assembly Member Epple) (Coauthors Assembly Members Hauser and Norman Waters)
1602	—	2262	Torres (Coauthor Assembly Member Hughes)
1603	—	2669	Presley and Assembly Member Bates (Coauthors Senators Alquist, Marks, Nielsen, Robbins, and Watson) (Coauthors Assembly Members Areias, Chacon, Eastin, and Hughes)
1604	—	2693	Bergeson
1605	—	2710	Boatwright
1606	—	2716	Marks
1607	—	129	Beverly
1608	—	1822	Bergeson
1609	—	1974	Maddy
1610	—	2158	Seymour
1611	—	2600	Vuich (Principal coauthor Senator Leonard)
1612	—	2772	Torres
1613	109	—	Hayden (Principal coauthor Assembly Member Peace) (Coauthors Assembly Members Calderon, Hughes, and Moore) (Principal coauthor Senator Torres) (Coauthors Senators Petris and Rosenthal)
1614	1641	—	Mojonnier (Coauthor Assembly Member Marston) (Coauthor Senator Doolittle)
1615	1789	—	Cortese, Bentley, Bradley, Filante, and Sher (Coauthors Senators Davis and Keene)
1616	2249	—	Friedman
1617	2296	—	Cortese (Principal coauthor Senator Vuich) (Coauthor Senator Dills)
1618	2564	—	O'Connell
1619	2804	—	Hauser
1620	2848	—	Hauser (Principal coauthor Senator Presley) (Principal coauthor Assembly Member Mountjoy)
1621	2895	—	Farr
1622	2983	—	Pringle
1623	3057	—	Polanco

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Ch No	A B No	S B No	Author
1624	3061	—	Tanner and Mountjoy
1625	3118	—	Moore
1626	3185	—	Hughes
1627	3195	—	Norman Waters
1628	3237	—	Chacon
1629	3272	—	Filante
1630	3327	—	Lewis
1631	3530	—	Margolin
1632	3672	—	Elder (Coauthors Senators Dills and Seymour)
1633	3703	—	Hauser and Areias (Principal coauthor Senator Keene)
1634	3777	—	Chandler
1635	3796	—	Bane
1636	3805	—	Bronzan (Principal coauthor Senator Roberti) (Coauthors Assembly Members Eastin, Farr, Hughes, Nolan, Peace, Roos, and Speier) (Coauthors Senators Alquist, McCorquodale, and Watson)
1637	3868	—	Farr
1638	3918	—	Nolan, Allen, Baker, Bane, Ferguson, Filante, Frizzelle, Harvey, Hayden, Hill, Marston, Peace, Pringle, Woodruff, and Wyman (Coauthors Senators Doolittle and Nielsen)
1639	3991	—	Willie Brown
1640	3997	—	Sher
1641	4084	—	Moore
1642	4161	—	Katz (Principal coauthor Assembly Member Bane) (Coauthors Assembly Members Epple, Hayden, Hughes, Moore, Mountjoy, Peace, and Speier) (Coauthors Senators Cecil Green, Robbins, and Rosenthal)
1643	4195	—	Baker and Isenberg
1644	4249	—	Cannella
1645	4325	—	Baker, Allen, Bane, Chacon, Eastin, Filante, Harris, Hauser, Isenberg, Katz, and Kelley (Coauthors Senators Kopp, McCorquodale, and Presley)
1646	4328	—	Baker, Bane, Chacon, Eastin, Filante, Harris, Hauser, Hill, Isenberg, Katz, Kelley, O'Connell, and Sher (Coauthors Senators Kopp, McCorquodale, and Presley)
1647	1033	—	Wright
1648	1145	—	Sher (Principal coauthor Assembly Member Cortese) (Coauthors Assembly Members Eastin, Lempert, O'Connell, and Quackenbush) (Coauthors Senators Alquist, McCorquodale, and Morgan)
1649	1367	—	Norman Waters (Principal coauthor Senator Nielsen)
1650	2565	—	the Assembly Committee on Governmental Efficiency and Consumer Protection (as presented by Assembly Member Eastin on behalf of the committee)
1651	3069	—	Clute (Principal coauthor Assembly Member Kelley) (Coauthors Senators Leonard and Presley)
1652	3548	—	Norman Waters
1653	4319	—	Bates
1654	4370	—	Hansen (Coauthor Senator Nielsen)
1655	—	494	Rosenthal
1656	—	1015	Russell
1657	—	1200	Petris (Coauthor Assembly Member Bates)
1658	—	1927	Presley
1659	—	2026	Craven
1660	—	2036	McCorquodale
1661	—	2211	Rosenthal
1662	—	2263	Torres
1663	3744	—	Elder (Principal coauthor Assembly Member Epple)
1664	2645	—	Epple (Principal coauthors Assembly Members Eastin, Woodruff, Cannella, Roybal-Allard, Nolan, Elder, and Clute) (Coauthors Assembly Members Areias, Bane, Bronzan, Chacon, Chandler, Eaves, Filante, Hansen, Harvey, Hayden, Hughes, Hunter, Katz, Klehs, O'Connell, Pringle, and Speier) (Coauthors Senators Nielsen, Petris, Presley, Robbins, and Watson)
1665	—	2112	Boatwright
1666	3949	—	Lempert
1667	—	1033	Bill Greene
1668	2694	—	Johnston
1669	—	1942	Lockyer (Principal coauthor)
1670	—	2139	Davis
1671	—	2301	Keene
1672	3008	—	Eastin and Frazee
1673	1108	—	Epple
1674	2925	—	Mojonnier
1675	—	1992	Maddy
1676	—	2484	Dills
1677	—	2468	Cecil Green (Principal coauthor Senator Keene) (Coauthor Senator McCorquodale) (Coauthor Assembly Member Wyman)
1678	4209	—	Allen
1679	2419	—	O'Connell
1680	1311	—	Filante and Murray (Coauthors Senators Dills, Montoya, and Rosenthal)
1681	3727	—	Costa
1682	3841	—	Chandler
1683	3916	—	Lempert (Coauthors Assembly Members Bader and Isenberg)
1684	4114	—	Clute and Bentley (Principal coauthors Senators Killea, Kopp, and McCorquodale) (Coauthors Assembly Members Norman Waters, Campbell, Cannella, Chacon, Cortese, Eastin, Eaves, Epple, Farr, Harris, Hauser, Murray, and Peace) (Coauthors Senators Alquist, Ayala, and Presley)
1685	2568	—	Moore
1686	2834	—	Quackenbush
1687	2852	—	Farr, Vasconcellos, Bane, Willie Brown, Costa, and Maxine Waters (Principal coauthor Senator Torres) (Coauthors Senators Dills, Garamendi, Bill Greene, and McCorquodale)
1688	3010	—	Speier (Principal coauthor Senator Seymour) (Coauthor Assembly Member Leslie)
1689	3183	—	Bader
1690	376	—	Klehs (Principal coauthors Assembly Members Friedman and Vasconcellos) (Coauthors Assembly Members Eastin and Peace)
1691	3324	—	Hunter
1692	4237	—	Nolan, Filante, and Statham (Coauthors Senators Doolittle, Leonard, Morgan, and Nielsen) (Coauthors Assembly Members Chacon, Clute, Ferguson, Hansen, Harvey, Hill, Hunter, Johnson, Peace, and Wyman)
1693	—	2866	Watson and Torres
1694	—	1218	Maddy
1695	—	2140	Davis
1696	—	1756	Lockyer
1697	—	2635	Mello (Principal coauthor Assembly Member Leslie) (Coauthors Senators Maddy, Nielsen, Presley, and Robbins) (Coauthors Assembly Members Allen, Bane, and Eaves)
1698	3137	—	Hansen
1699	4270	—	Bader
1700	—	1720	Presley (Principal coauthor Assembly Member Katz)
1701	—	1683	Mello
1702	—	1928	Presley
1703	2126	—	Felando
1704	—	2228	Hart
1705	2766	—	Sher
1706	3158	—	Costa, Felando, Isenberg, Kelley, and O'Connell (Principal coauthor Senator Alquist)
1707	3670	—	Farr

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Res Ch	Res No		Author
1	SCR	75	Cecil Green and Russell (Principal coauthor Assembly Member Elder)
2	ACR	103	Mojonnier
3	ACR	105	Hansen, Allen, Areias, Bader, Bane, Bentley, Campbell, Chacon, Chandler, Clute, Connelly, Cortese, Costa, Eastin, Eaves, Elder, Farr, Filante, Frazee, Hannigan, Harvey, Hauser, Hayden, Hill, Hughes, Hunter, Isenberg, Johnston, Katz, Klehs, La Follette, Lancaster, Lempert, McClintock, Mojonnier, Moore, Nolan, O'Connell, Peace, Polanco, Pringle, Roos, Seastrand, Speier, Statham, Tanner, Tucker, Vasconcellos, Norman Waters, Woodruff, and Wright (Coauthors Senators Bergeson, Beverly, Craven, Davis, Garamendi, Bill Greene, Leroy Greene, Hart, Keene, Killea, Kopp, Leonard, Lockyer, Maddy, Marks, McCorquodale, Montoya, Morgan, Nielsen, Presley, Seymour, Torres, Vuich, and Watson)
4	AJR	52	Hauser, Chandler, and Norman Waters
5	ACR	95	Eaves, Allen, Areias, Bader, Baker, Bane, Bates, Bentley, Bradley, Dennis Brown, Willie Brown, Burton, Calderon, Campbell, Chacon, Chandler, Clute, Condit, Connelly, Cortese, Costa, Eastin, Elder, Epple, Farr, Ferguson, Filante, Floyd, Frazee, Friedman, Frizzelle, Hannigan, Hansen, Harris, Harvey, Hauser, Hill, Hughes, Isenberg, Johnston, Jones, Katz, Kelley, Klehs, Lancaster, Leslie, Lewis, Margolin, McClintock, Mojonnier, Moore, Mountjoy, Murray, Nolan, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Seastrand, Sher, Speier, Statham, Tanner, Tucker, Vasconcellos, Maxine Waters, Norman Waters, Woodruff, and Wright (Coauthors Senators Alquist, Beverly, Deddeh, Dills, Doolittle, Garamendi, Cecil Green, Leroy Greene, Keene, Killea, Kopp, Lockyer, Maddy, Marks, McCorquodale, Morgan, Nielsen, Petris, Presley, Roberti, Rogers, Seymour, Torres, Vuich, and Watson)
6	ACA	29	Leslie
7	AJR	73	Roos, Allen, Areias, Bader, Baker, Bane, Bentley, Bronzan, Dennis Brown, Willie Brown, Calderon, Cannella, Chacon, Chandler, Clute, Connelly, Cortese, Eastin, Eaves, Elder, Epple, Farr, Felando, Ferguson, Filante, Frazee, Friedman, Frizzelle, Hannigan, Hansen, Harvey, Hauser, Hayden, Hill, Hughes, Hunter, Isenberg, Johnson, Jones, Katz, Kelley, Klehs, La Follette, Lancaster, Lempert, Leslie, McClintock, Mojonnier, Moore, Mountjoy, Murray, Nolan, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roybal-Allard, Sher, Speier, Statham, Tanner, Norman Waters, Woodruff, Wright, and Wyman (Coauthors Senators Alquist, Bergeson, Beverly, Boatwright, Craven, Davis, Deddeh, Dills, Doolittle, Garamendi, Cecil Green, Leroy Greene, Hart, Keene, Killea, Kopp, Lockyer, Maddy, Marks, McCorquodale, Mello, Morgan, Nielsen, Petris, Presley, Robbins, Roberti, Rogers, Rosenthal, Royce, Russell, Seymour, Torres, Vuich, and Watson)
8	SJR	40	Campbell and Roberti (Principal coauthors Assembly Members Bane and Filante) (Coauthors Senators Alquist, Beverly, Craven, Davis, Dills, Cecil Green, Killea, Kopp, Leonard, Lockyer, Marks, McCorquodale, Petris, Robbins, Rosenthal, Seymour, and Vuich) (Coauthors Assembly Members Chacon, Eastin, Friedman, Frizzelle, Johnson, Klehs, Lempert, Mojonnier, Moore, Murray, Peace, Speier, Statham, Wright, Allen, Areias, Bader, Baker, Bates, Bentley, Bronzan, Dennis Brown, Willie Brown, Burton, Campbell, Cannella, Chandler, Clute, Connelly, Cortese, Costa, Elder, Epple, Felando, Ferguson, Frazee, Hansen, Harris, Harvey, Hauser, Hill, Hughes Hunter, Isenberg, Johnston, Jones, Katz, Kelley, Lancaster, Lewis, McClintock, Mountjoy, Nolan, O'Connell, Pringle, Quackenbush, Roos, Roybal-Allard, Sher, Tanner, Tucker, Maxine Waters, Norman Waters, Woodruff, and Wyman)
9	ACR	109	Norman Waters
10	ACR	86	Norman Waters
11	SCR	80	Killea (Principal coauthor Senator Marks) (Coauthors Senators Alquist, Bergeson, Beverly, Craven, Deddeh, Cecil Green, Keene, Lockyer, McCorquodale, Morgan, Nielsen, Petris, Presley, Rogers, Rosenthal, and Seymour) (Coauthors Assembly Members Bane, Bentley, Chacon, Costa, Eaves, Farr, Filante, Hannigan, Harris, Harvey, Hauser, Hayden, Isenberg, Lempert, Mojonnier, Moore, O'Connell, Polanco, Quackenbush, Roybal-Allard, Speier, and Statham)
12	ACR	78	Hauser (Coauthor Senator Keene)
13	ACR	113	Katz (Principal coauthor Assembly Member Bane) (Coauthors Assembly Members Allen, Areias, Baker, Bates, Bentley, Bronzan, Willie Brown, Burton, Calderon, Campbell, Chacon, Chandler, Clute, Connelly, Cortese, Costa, Eastin, Eaves, Elder, Epple, Farr, Felando, Ferguson, Filante, Hannigan, Hansen, Harvey, Hauser, Hayden, Hill, Hughes, Isenberg, Johnson, Johnston, Jones, Kelley, Klehs, Lancaster, Lempert, Leslie, Margolin, Mojonnier, Moore, Nolan, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Seastrand, Sher, Speier, Statham, Wright, and Wyman) (Coauthors Senators Beverly, Boatwright, Craven, Davis, Deddeh, Garamendi, Cecil Green, Leroy Greene, Hart, Keene, Kopp, Leonard, Lockyer, Marks, McCorquodale, Morgan, Nielsen, Petris, Presley, Robbins, Roberti, Rosenthal, Russell, Seymour, Torres, and Vuich)
14	ACR	121	Leslie, Filante, Wright, Allen, Bader, Baker, Bentley, Dennis Brown, Cannella, Chacon, Chandler, Cortese, Eaves, Epple, Frazee, Hansen, Harvey, Hauser, Hughes, Hunter, Johnson, Jones, Klehs, La Follette, Lancaster, Lempert, Lewis,

TABLE OF RESOLUTIONS AND PROPOSED CONSTITUTIONAL AMENDMENTS ADOPTED BY THE LEGISLATURE—Continued

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Res Ch	Res. No		Author
			McClintock, Mojonnier, Mountjoy, Murray, Nolan, O'Connell, Peace, Polanco, Pringle, Quackenbush, Seastrand, Statham, Norman Waters, Woodruff, and Wyman (Coauthors Senators Bergeson, Craven, Deddeh, Doolittle, Lockyer, Nielsen, Presley, Rogers, Russell, and Seymour)
15	SCR	73	Kopp (Principal coauthor Senator McCorquodale) (Coauthors Senators Keene and Nielsen)
16	ACR	130	Katz, Allen, Areias, Bader, Baker, Bane, Bates, Bentley, Bronzan, Willie Brown, Burton, Cannella, Chacon, Chandler, Clute, Connelly, Cortese, Costa, Eastin, Eaves, Elder, Epple, Farr, Felando, Ferguson, Floyd, Frazee, Hannigan, Hansen, Harris, Harvey, Hauser, Hayden, Hill, Hughes, Isenberg, Johnston, Jones, Kelley, Klehs, La Follette, Lancaster, Lempert, Leslie, Margolin, McClintock, Mojonnier, Moore, Mountjoy, Murray, Nolan, O'Connell, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Seastrand, Sher, Statham, Tanner, Tucker, Maxine Waters, Norman Waters, Woodruff, Wright, and Wyman (Coauthors Senators Alquist, Ayala, Bergeson, Beverly, Boatwright, Davis, Deddeh, Dills, Doolittle, Garamendi, Cecil Green, Leroy Greene, Hart, Kopp, Leonard, Lockyer, Marks, McCorquodale, Mello, Morgan, Nielsen, Presley, Robbins, Roberti, Rogers, Rosenthal, Russell, Seymour, Torres, and Watson)
17	SCR	95	Ayala
18	AJR	7	Elder
19	AJR	91	Roos
20	ACR	102	Katz and Sher (Principal Assembly coauthors Assembly Members Willie Brown and Farr) (Principal Senate coauthor Senator Roberti) (Coauthors Assembly Members Areias, Bane, Bates, Calderon, Campbell, Chacon, Clute, Connelly, Cortese, Costa, Eastin, Eaves, Elder, Epple, Felando, Filante, Friedman, Hannigan, Harris, Hauser, Hayden, Hill, Hughes, Hunter, Isenberg, Johnston, Jones, Klehs, Lancaster, Lempert, Margolin, Mojonnier, Moore, Murray, O'Connell, Polanco, Roos, Roybal-Allard, Speier, Statham, Tanner, Tucker, Vasconcellos, Maxine Waters, Woodruff, Allen, Bader, Bronzan, Burton, Cannella, Chandler, Ferguson, Hansen, Harvey, McClintock, Pringle, Quackenbush, Seastrand, Norman Waters, and Wright) (Coauthors Senators Alquist, Ayala, Bergeson, Beverly, Boatwright, Davis, Deddeh, Dills, Doolittle, Garamendi, Cecil Green, Bill Greene, Leroy Greene, Hart, Keene, Killea, Kopp, Leonard, Lockyer, Maddy, Marks, McCorquodale, Mello, Morgan, Nielsen, Petris, Presley, Robbins, Rogers, Rosenthal, Royce, Russell, Seymour, Torres, Vuich, and Watson)
21	SCR	61	Keene (Coauthor Assembly Member Hauser)
22	SCR	77	Rosenthal
23	ACR	115	Pringle, Allen, Baker, Bane, Dennis Brown, Calderon, Chacon, Eastin, Felando, Hansen, Harvey, Hauser, Hunter, Leslie, Lewis, Mojonnier, Mountjoy, Nolan, Peace, Polanco, Quackenbush, Roybal-Allard, Speier, Statham, Woodruff, Wright, and Wyman (Coauthors Senators Bergeson, Doolittle, Cecil Green, Leonard, Morgan, Presley, Rogers, Royce, Russell, Seymour, and Vuich)
24	AJR	50	Pringle (Coauthor Senator Royce)
25	AJR	68	Speier (Principal Assembly coauthor Assembly Member Polanco) (Principal Senate coauthor Senator Torres) (Coauthors Assembly Members Areias, Bane, Bentley, Burton, Calderon, Chacon, Clute, Cortese, Costa, Eastin, Farr, Hannigan, Hauser, Isenberg, Katz, Lancaster, Nolan, Roos, Maxine Waters, and Wyman) (Coauthors Senators Lockyer, Marks, Petris, Roberti, and Rosenthal)
26	ACR	141	Hughes
27	SCR	46	Roberti (Coauthors Senators Bergeson, Deddeh, Doolittle, Keene, Kopp, Lockyer, Marks, McCorquodale, Montoya, Robbins, Rogers, Torres, Vuich, and Watson) (Coauthors Assembly Members Bane, Campbell, Chacon, Cortese, Eastin, Farr, Filante, Hansen, Hauser Hughes, Katz, Killea, Murray, Polanco, Roos, Speier, Tucker, and Vasconcellos)
28	SCR	96	Roberti
29	SCR	102	Killea
30	AJR	43	Lempert, Bates, Burton, Farr, Felando, Filante, Hauser, Sher, Speier, and Vasconcellos (Coauthors Senators Keene, Marks, McCorquodale, Mello, and Morgan)
31	AJR	89	Friedman, Bane, Filante, Katz, Lempert, Margolin, and Mojonnier (Coauthors Senators Marks and Rosenthal)
32	ACR	157	Farr
33	SCR	53	Russell (Principal coauthor Assembly Member Wyman) (Coauthor Senator Rogers)
34	AJR	8	Elder, Epple, and Felando (Coauthors Senators Beverly, Dills, and Cecil Green)
35	ACR	135	Speier (Principal Assembly coauthors Assembly Members Katz and Seastrand) (Principal Senate coauthors Senators Marks and Roberti) (Assembly coauthors Assembly Members Allen, Areias, Bader, Baker, Bane, Bates, Bentley, Bronzan, Burton, Campbell, Cannella, Chacon, Chandler, Clute, Cortese, Costa, Eastin, Eaves, Elder, Epple, Farr, Felando, Ferguson, Filante, Frazee, Frizzelle, Hannigan, Hansen, Harris, Harvey, Hauser, Hughes, Hunter, Isenberg, Johnston, Jones, Kelley, Klehs, La Follette, Lancaster, Lempert, Leslie, Lewis, Margolin, McClintock, Mojonnier, Moore, Mountjoy, Murray, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Sher, Statham, Tanner, Tucker, Vasconcellos, Maxine Waters, Norman Waters, Woodruff, Wright, and Wyman) (Senate Coauthors Senators Alquist, Ayala, Bergeson, Beverly, Boatwright, Calderon, Craven, Davis, Deddeh, Dills, Doolittle, Garamendi, Cecil Green, Leroy Greene, Hart, Hill, Keene, Killea, Kopp, Leonard, Lockyer, Maddy, McCorquodale, Mello, Morgan, Nielsen, Petris, Presley, Robbins, Rogers, Rosenthal, Royce, Seymour, Torres, Vuich, and Watson)
36	ACR	143	Pringle, Areias, Campbell, Chandler, Cortese, Eaves, Felando, Filante, Frazee, Hannigan, Harvey, Hauser, Hill, Kelley, Klehs, La Follette, Lancaster, Leslie, McClintock, Mojonnier, Peace, Polanco, Roos, Seastrand, Speier, Vasconcellos, Woodruff, Wright, and Wyman (Coauthors Senators Bergeson, Beverly, Crav-

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Res. Ch	Res No		Author
			en, Deddeh, Doolittle, Garamendi, Keene, Marks, Morgan, Nielsen, Presley, Robbins, Rogers, Royce, Vuich, and Watson)
37	SCR	40	Craven, Bergeson, Deddeh, Leroy Greene, McCorquodale, Montoya, Presley, Robbins, Roberti, and Seymour (Coauthors Assembly Members Bane, Bates, Bentley, Costa, Eastin, Farr, Johnston, Jones, Killea, La Follette, Mojonnier, Statham, and Vasconcellos)
38	SCR	54	Petris
39	SCR	55	Boatwright
40	SCR	101	Roberti
41	ACR	148	Bentley, Allen, Areias, Bader, Baker, Bane, Bates, Campbell, Cannella, Chacon, Chandler, Clute, Connelly, Cortese, Costa, Eaves, Elder, Epple, Farr, Felando, Ferguson, Filante, Frazee, Frizzelle, Hannigan, Hansen, Harris, Harvey, Hauser, Hunter, Isenberg, Johnson, Johnston, Jones, Katz, Kelley, Klehs, La Follette, Lancaster, Lempert, Leslie, Lewis, Margolin, McClintock, Mojonnier, Moore, Mountjoy, Murray, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roybal-Allard, Sher, Speier, Statham, Tanner, Tucker, Maxine Waters, Norman Waters, Woodruff, Wright, and Wyman
42	AJR	66	Quackenbush
43	ACR	104	Hansen, Areias, Baker, Bane, Bentley, Dennis Brown, Calderon, Chacon, Clute, Connelly, Costa, Eastin, Eaves, Elder, Epple, Frazee, Frizzelle, Harvey, Hauser, Hill, Hughes, Hunter, Johnson, Jones, Klehs, La Follette, Lancaster, Lempert, Mojonnier, Mountjoy, Nolan, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roos, Seastrand, Speier, Statham, Norman Waters, Woodruff, Wright, and Wyman (Coauthors Senators Bergeson, Beverly, Boatwright, Craven, Deddeh, Garamendi, Cecil Green, Bill Greene, Montoya, Morgan, Nielsen, Presley, Robbins, Rogers, Seymour, Torres, and Vuich)
44	AJR	84	Friedman, Bane, Bates, Burton, Calderon, Campbell, Costa, Felando, Filante, Harris, Hauser, Johnston, Margolin, Peace, Roos, Roybal-Allard, Statham, and Vasconcellos (Coauthors Senators Petris, Robbins, Roberti, Rosenthal, and Torres)
45	SCR	107	Ayala
46	SJR	68	Presley (Coauthors Assembly Members Clute and Kelley)
47	ACR	111	Hansen, Wright, Allen, Areias, Bader, Baker, Bates, Bentley, Bronzan, Clute, Connelly, Costa, Eastin, Eaves, Epple, Farr, Felando, Filante, Frazee, Hannigan, Hauser, Hayden, Hughes, Hunter, Johnson, Jones, Kelley, Lancaster, Leslie, Mojonnier, Moore, O'Connell, Polanco, Pringle, Quackenbush, Roos, Seastrand, Speier, Statham, Tucker, Vasconcellos, Woodruff, and Wyman (Coauthors Senators Bergeson, Dills, Cecil Green, Keene, Kopp, Lockyer, Marks, Montoya, Morgan, Nielsen, Presley, Robbins, Rogers, and Vuich)
48	SCR	78	Maddy and Vuich (Coauthors Assembly Members Bronzan, Costa, and Jones)
49	AJR	92	Ferguson
50	AJR	38	Elder
51	ACR	144	Katz
52	SJR	56	Deddeh
53	SCR	76	Lockyer
54	ACR	101	Kelley and Clute (Coauthor Senator Presley)
55	ACA	32	Costa, Condit, Eaves, Farr, Filante, Hannigan, Hansen, Harvey, and Hauser (Coauthors Senators Davis, McCorquodale, Robbins, Rogers, and Vuich)
56	ACA	38	Cortese (Principal coauthors Assembly Members Willie Brown and Filante) (Principal coauthors Senators Alquist and Keene) (Coauthors Assembly Members Bentley, Clute, Costa, Eaves, Frazee, Frizzelle, Hauser, Hunter, Lancaster, and Norman Waters) (Coauthors Senators Craven and Dills)
57	SCA	33	Rogers
58	ACR	118	Seastrand
59	SJR	67	Marks, Hart, Keene, McCorquodale, and Roberti
60	SCR	91	Keene (Coauthor Assembly Member Hannigan)
61	ACR	106	Kelley
62	ACR	116	Allen
63	AJR	61	Elder
64	ACR	120	Bentley
65	ACR	123	Statham
66	ACR	124	Harris, Bane, Bates, Willie Brown, Calderon, Chacon, Clute, Cortese, Eastin, Eaves, Farr, Hughes, Peace, Speier, Tucker, Vasconcellos, and Norman Waters (Coauthors Senators Bill Greene, Keene, Killea, Nielsen, Petris, and Rosenthal)
67	AJR	12	Floyd (Principal coauthors Senators Dills and Torres) (Coauthors Assembly Members Johnston, Polanco, and Speier)
68	AJR	74	Peace (Principal coauthor Assembly Member Klehs) (Coauthors Assembly Members Areias, Bane, Calderon, Eaves, Epple, Filante, Hansen, Hauser, Hayden, Katz, Moore, O'Connell, Roybal-Allard, and Speier) (Coauthors Senators Killea, Robbins, and Rosenthal)
69	AJR	78	Hauser (Principal coauthor Senator Keene)
70	AJR	86	Friedman, Bane, Bates, Katz, Margolin, O'Connell, Peace, and Roybal-Allard
71	AJR	87	Clute, Allen, Areias, Bader, Baker, Bane, Bates, Bentley, Bronzan, Willie Brown, Burton, Calderon, Campbell, Cannella, Chacon, Chandler, Connelly, Cortese, Costa, Eaves, Elder, Epple, Farr, Felando, Ferguson, Filante, Floyd, Frazee, Friedman, Frizzelle, Hannigan, Hansen, Harris, Harvey, Hauser, Hill, Hunter, Isenberg, Johnson, Johnston, Jones, Katz, Kelley, Klehs, La Follette, Lancaster, Lempert, Leslie, Lewis, Margolin, McClintock, Mojonnier, Moore, Mountjoy, Murray, Nolan, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Seastrand, Sher, Speier, Tanner, Tucker, Norman Waters, Woodruff, Wright, and Wyman
72	AJR	88	Hauser and Felando (Coauthors Senators McCorquodale and Mello)
73	ACR	107	Campbell (Principal coauthor Senator Torres) (Coauthors Assembly Members Areias, Bates, Willie Brown, Burton, Chacon, Chandler, Cortese, Costa, Eastin, Eaves, Farr, Filante, Friedman, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, O'Connell, Polanco, Quackenbush, Roos, and Speier) (Coauthors Senators Davis, Marks, McCorquodale, Rosenthal, and Watson)
74	ACR	117	Hannigan
75	SCR	83	Garamendi
76	SJR	51	Kopp

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77	AJR	85	Clute, Chandler, Mojonnier, Murray, Quackenbush, and Norman Waters
78	ACR	125	Hunter
79	SCR	90	Keene (Coauthor Assembly Member Hauser)
80	SCR	85	Boatwright
81	AJR	63	Speier, Bates, Chacon, Chandler, Clute, Cortese, Eastin, Elder, Farr, Felando, Friedman, Hansen, Hauser, Harvey, Hughes, Katz, Margolin, Mojonnier, Peace, Pringle, and Roybal-Allard (Coauthors Senators Dills, Cecil Green, Keene, Killea, Lockyer, Marks, McCorquodale, Presley, and Rosenthal)
82	ACR	152	Epple, Allen, Areias, Bentley, Bronzan, Willie Brown, Cannella, Cortese, Costa, Eaves, Filante, Frazee, Hannigan, Harris, Harvey, Hauser, Hughes, Jones, Katz, Lancaster, Lempert, Leslie, Mojonnier, Mountjoy, Murray, Nolan, O'Connell, Peace, Polanco, Pringle, Roos, Roybal-Allard, Seastrand, Speier, Vasconcellos, Maxine Waters, Norman Waters, Woodruff, Wright, and Wyman (Coauthors Senators Bergeson, Cecil Green, Hill, Keene, Leonard, Morgan, Nielsen, Presley, Rogers, Rosenthal, Russell, Seymour, and Watson)
83	ACR	138	Burton (Principal coauthor Assembly Member Nolan) (Coauthors Assembly Members Hannigan, Willie Brown, Hayden, Areias, Bane, Campbell, Chacon, Clute, Cortese, Eaves, Felando, Hauser, Johnston, Klehs, Murray, Polanco, Roos, Roybal-Allard, and Tucker) (Coauthors Senators Kopp, Marks, Roberti, Seymour, Torres, and Watson)
84	SJR	64	McCorquodale (Principal coauthors Senators Keene and Torres) (Principal coauthors Assembly Members O'Connell and Speier) (Coauthors Senators Boatwright, Marks, Nielsen, Petris, Robbins, Roberti, and Watson) (Coauthors Assembly Members Eastin, Friedman, Katz, Lempert, and Roybal-Allard)
85	SJR	72	Cecil Green and Nielsen (Principal coauthors Assembly Members Epple and Leslie) (Coauthors Senators Bergeson, Boatwright, Deddeh, Doolittle, Presley, Rogers, Russell, Seymour, and Vuich) (Coauthors Assembly Members Ferguson, Filante, Hansen, Harvey, Hunter, Lancaster, La Follette, Marston, Mountjoy, Nolan, Pringle, Statham, Woodruff, Wright, and Wyman)
86	AJR	64	Filante
87	AJR	82	Speier, Burton, Chacon, Hannigan, Hauser, Isenberg, and Johnston (Principal coauthor Senator Keene) (Coauthors Senators McCorquodale, Royce, and Torres)
88	SCR	87	Maddy
89	SJR	49	Ayala, Alquist, Bergeson, Beverly, Boatwright, Campbell, Craven, Davis, Deddeh, Dills, Doolittle, Garamendi, Cecil Green, Leroy Greene, Hart, Keene, Kopp, Leonard, Lockyer, Maddy, Marks, McCorquodale, Mello, Montoya, Morgan, Nielsen, Petris, Presley, Robbins, Roberti, Rogers, Rosenthal, Russell, Seymour, Stirling, Torres, Vuich, and Watson
90	SJR	58	Bill Greene (Principal coauthor Assembly Member Johnston)
91	ACR	106	Murray
92	ACR	114	Farr, Vasconcellos, Burton, Areias, Bane, Bates, Bronzan, Calderon, Campbell, Chacon, Connelly, Cortese, Costa, Eastin, Eaves, Filante, Friedman, Hannigan, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Klehs, Lempert, Margolin, Moore, Murray, O'Connell, Peace, Polanco, Roos, Roybal-Allard, Sher, Speier, Tanner, Maxine Waters, and Norman Waters
93	ACR	128	Campbell (Coauthors Senators Calderon, Watson, McCorquodale, Roberti, and Torres) (Coauthors Assembly Members Areias, Willie Brown, Chacon, Cortese, Costa, Harris, Harvey, Hayden, Hughes, O'Connell, Roos, Roybal-Allard, and Vasconcellos)
94	ACR	129	Harris
95	ACR	133	Vasconcellos
96	ACR	140	Floyd
97	ACR	149	Hayden, Areias, Bates, Willie Brown, Cortese, Eastin, Farr, Harris, Harvey, Hauser, Katz, O'Connell, Roybal-Allard, Sher, Speier, and Vasconcellos (Coauthors Senators Bergeson, Calderon, Hill, Killea, Marks, Rosenthal, Vuich, and Watson)
98	AJR	47	Isenberg, Connelly, and Norman Waters (Coauthors Senators Leroy Greene and Rosenthal)
99	AJR	69	Moore
100	AJR	71	Bentley, Chacon, Eaves, Eastin, Elder, Filante, Hughes, Hunter, La Follette, Mountjoy, Peace, Roybal-Allard, Statham, Tanner, and Wyman (Coauthors Senators Deddeh, Killea, Morgan, Seymour, Vuich, and Watson)
101	AJR	72	Eastin
102	AJR	79	Peace (Principal coauthor Assembly Member Moore) (Coauthor Assembly Member Norman Waters)
103	AJR	80	Isenberg, Baker, Bane, Chacon, Eastin, Filante, Harris, Hauser, Jones, Katz, Kelly, Nolan, Seastrand, and Sher (Coauthors Senators Kopp, McCorquodale, and Presley)
104	AJR	81	Peace, Bentley, Eaves, Frazee, McClintock, and Polanco
105	AJR	83	Johnston (Principal coauthor Assembly Member Elder)
106	SCR	88	Robbins
107	SCR	97	Hart
108	SJR	53	Marks, Ayala, Bergeson, Beverly, Boatwright, Leroy Greene, Killea, Mello, Petris, Roberti, and Torres (Coauthor Assembly Member Peace)
109	SJR	54	Roberti
110	SJR	60	McCorquodale (Coauthors Senators Alquist, Beverly, Davis, Cecil Green, and Watson) (Coauthors Assembly Members Calderon, Connelly, Costa, Eastin, Eaves, Farr, Filante, Hauser, Isenberg, Johnston, Roybal-Allard, and Sher)
111	SJR	62	Roberti
112	SJR	69	Mello
113	SJR	70	McCorquodale
114	AJR	101	Leslie (Coauthors Assembly Members Chandler, Connelly, Hannigan, Isenberg, and Norman Waters) (Principal coauthor Senator Leroy Greene) (Coauthors Senators Doolittle, Garamendi, and Nielsen)
115	ACR	153	Hansen (Principal coauthor Senator Nielsen) (Coauthors Bane, Bentley, Chacon, Chandler, Clute, Filante, Frazee, Hauser, La Follette, Mojonnier, Peace, Polanco, Woodruff, and Wyman) (Coauthors Senators Robbins and Rogers)
116	ACR	154	Bronzan
117	ACR	156	Mojonnier
118	ACR	159	Hannigan
119	ACR	160	Roos, Cortese, Costa, Eaves, Filante, Hanni-

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121	ACR	164	Woodruff (Principal coauthor Senator Leonard)
122	ACR	173	Vasconcellos and Willie Brown (Coauthor Senator Torres)
123	ACR	177	Vasconcellos and Willie Brown (Coauthor Senator Torres)
124	ACR	178	Vasconcellos and Willie Brown (Coauthor Senator Torres)
125	ACR	176	Vasconcellos and Willie Brown (Coauthor Senator Torres)
126	SJR	26	McCorquodale
127	SJR	57	Cecil Green
128	SJR	61	Killea and Kopp
129	SJR	66	Cecil Green and McCorquodale
130	SCR	81	Senators Morgan, Vuich, and Watson (Coauthors Assembly Members Bane, Chacon, Chandler, Cortese, Eastin, Hughes, Hunter, La Follette, Lempert, Roybal-Allard, and Statham)
131	SCR	84	Hart
132	SCR	89	Watson
133	SCR	106	Watson
134	SCR	109	Davis
135	SCR	115	Roberti, Craven, Davis, Hart, Petris, Presley, and Russell
136	SCR	116	Cecil Green and Assembly Member Clute (Principal coauthors Senators Calderon and Nielsen) (Coauthors Senators Deddeh and Lockyer)
137	SCR	117	Roberti, Bergeson, Davis, Deddeh, Kopp, Petris, Presley, and Russell
138	AJR	65	Polanco, Bane, Cannella, Chacon, Chandler, Elder, Epple, Farr, Felando, Filante, Friedman, Hansen, Harvey, Hauser, Hunter, Lempert, Peace, Speier, Statham, and Maxine Waters (Coauthors Senators Calderon, Deddeh, Cecil Green, Bill Greene, Keene, Lockyer, Marks, McCorquodale, Rosenthal, and Watson)
139	AJR	70	Moore
140	AJR	95	Polanco
141	AJR	105	Maxine Waters, Allen, Areias, Bader, Baker, Bane, Bates, Bentley, Bronzan, Willie Brown, Burton, Campbell, Cannella, Chacon, Chandler, Clute, Connelly, Cortese, Costa, Eastin, Eaves, Elder, Epple, Farr, Felando, Ferguson, Filante, Floyd, Frazee, Frizzelle, Hannigan, Hansen, Harris, Harvey, Hughes, Hunter, Isenberg, Johnson, Johnston, Katz, Kelley, Klehs, La Follette, Lancaster, Lempert, Leslie, Lewis, Marston, McClintock, Mojonnier, Moore, Mountjoy, Murray, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Sher, Speier, Statham, Tanner, Tucker, Vasconcellos, Woodruff, Wright, and Wyman
142	AJR	108	Willie Brown
143	ACR	32	Farr
144	ACR	35	Chacon (Principal coauthor Senator Torres) (Coauthors Assembly Members Willie Brown, Burton, Calderon, Campbell, Cortese, Eastin, Hannigan, Harris, Hughes, Isenberg, Katz, Killea, Klehs, Murray, Polanco, Roybal-Allard, Speier, Tucker, Vasconcellos, and Maxine Waters) (Coauthors Senators Marks, Montoya, and Roberti)
145	ACR	132	Vasconcellos and Statham
146	ACR	146	Clute
147	ACR	166	Polanco
148	ACR	170	Farr
149	ACR	171	Vasconcellos and Willie Brown (Coauthor Senator Torres)
150	ACR	172	Vasconcellos and Willie Brown (Coauthor Senator Torres)
151	ACR	174	Vasconcellos and Willie Brown (Coauthor Senator Torres)
152	ACR	175	Vasconcellos and Willie Brown (Coauthor Senator Torres)
153	ACR	179	Vasconcellos and Willie Brown (Coauthor Senator Torres)
154	ACR	183	Chandler, Hauser, and Statham
155	SCA	37	Seymour
156	SCR	103	Torres
157	SCR	113	Ayala
158	SCR	114	Alquist (Principal coauthor Assembly Member Vasconcellos)
159	SCR	118	Robbins (Principal coauthor Assembly Member Katz) (Coauthors Senators Davis, Hart, Roberti, Rosenthal, and Russell) (Coauthors Assembly Members Friedman, Hayden, and La Follette)
160	SJR	65	Presley
161	SJR	71	Torres
162	SJR	74	Presley
163	SJR	75	Torres
164	ACR	139	Johnson and Chacon
165	ACR	162	Katz (Coauthors Assembly Members Clute, Costa, Eaves, Farr, Hughes, and Roybal-Allard) (Coauthor Senator McCorquodale)
166	ACR	180	Cortese (Principal coauthor Senator Ayala) (Coauthors Assembly Members Allen, Areias, Bader, Baker, Bane, Bates, Bentley, Bronzan, Willie Brown, Burton, Campbell, Cannella, Chacon, Chandler, Clute, Connelly, Costa, Eastin, Elder, Epple, Farr, Felando, Ferguson, Filante, Floyd, Frazee, Friedman, Hannigan, Hansen, Harris, Harvey, Hauser, Hughes, Johnson, Johnston, Jones, Katz, Kelley, La Follette, Lancaster, Lempert, Leslie, Margolin, Marston, McClintock, Mojonnier, Moore, Mountjoy, Murray, Nolan, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Sher, Speier, Statham, Tanner, Tucker, Vasconcellos, Maxine Waters, Norman Waters, Woodruff, Wright, and Wyman) (Coauthors Senators McCorquodale, Nielsen, Presley, Rogers, and Vuich)
167	ACR	182	Ferguson
168	ACR	184	Harris, Allen, Areias, Bader, Baker, Bates, Bentley, Bronzan, Willie Brown, Burton, Cannella, Chandler, Clute, Connelly, Cortese, Eastin, Eaves, Elder, Epple, Farr, Felando, Ferguson, Filante, Frazee, Friedman, Frizzelle, Hannigan, Hansen, Harvey, Hauser, Hayden, Hughes, Hunter, Isenberg, Johnston, Katz, Kelley, Klehs, Lancaster, Lempert, Leslie, Margolin, Marston, Mojonnier, Moore, Mountjoy, Murray, Nolan, Peace, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Sher, Speier, Statham, Tanner, Tucker, Maxine Waters, Norman Waters, Woodruff, Wright, and Wyman) (Coauthors Senators Alquist, Ayala, Bergeson, Beverly, Boatwright, Calderon, Craven, Davis, Deddeh, Dills, Doolittle, Garamendi, Cecil Green, Bill Greene, Leroy Greene, Hart, Hill, Keene, Killea, Kopp, Leonard, Lockyer, Maddy, Marks, McCorquodale, Mello, Morgan, Nielsen, Presley, Robbins, Roberti, Rogers, Rosenthal, Royce, Russell, Seymour, Torres, Vuich, and Watson)
169	ACR	185	Speier
170	ACR	187	Assembly Members Harris, Allen, Areias, Bader, Baker, Bates Bentley, Bronzan, Willie Brown, Cannella, Chandler, Clute,

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171	ACR 188	Willie Brown, Johnson, Vasconcellos, Baker, and Isenberg (Coauthors Senators Roberti, Maddy, Alquist, and Leonard)
172	AJR 96	Roybal-Allard, Areias, Campbell, Epple, Farr, Floyd, Harris, Hughes, and Speier (Coauthors Senators Dills, McCorquodale, Torres, and Watson)
173	AJR 93	Eastin, Bane, Chacon, Cortese, Epple, Farr, Hughes, Speier, and Vasconcellos (Coauthors Senators Garamendi, Lockyer, McCorquodale, Petris, and Watson)
174	AJR 99	Polanco
175	AJR 100	Katz
176	AJR 103	Clute, Areias, Kelley, Hansen, Bader, Bates, Bronzan, Willie Brown, Burton, Campbell, Cannella, Chacon, Cortese, Costa, Eastin, Eaves, Elder, Epple, Farr, Floyd, Frazee, Harris, Harvey, Hauser, Hayden, Hughes, Isenberg, Jones, Katz, Klehs, Lancaster, Lempert, Marston, Mojonnier, Murray, O'Connell, Peace, Roybal-Allard, Sher, Speier, Statham, Tucker, Vasconcellos, Maxine Waters, and Norman Waters
177	AJR 106	Hannigan
178	AJR 109	Willie Brown (Coauthors Assembly Members Areias, Bader, Baker, Bane, Bentley, Bronzan, Burton, Campbell, Cannella, Chacon, Chandler, Clute, Connelly, Cortese, Costa, Eastin, Eaves, Elder, Epple, Farr, Felando, Ferguson, Filante, Frazee, Friedman, Frizzelle, Hannigan, Hansen, Harris, Harvey, Hauser, Hughes, Hunter, Isenberg, Johnson, Johnston, Jones, Katz, Kelley, Klehs, La Follette, Lancaster, Lempert, Leslie, Lewis, Margolin, Marston, McClintock, Mojonnier, Moore, Mountjoy, Murray, Nolan, O'Connell, Peace, Polanco, Pringle, Quackenbush, Roos, Roybal-Allard, Sher, Speier, Statham, Tanner, Vasconcellos, Maxine Waters, Norman Waters, Woodruff, Wright, and Wyman) (Coauthor Senator Roberti)

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4	—	3	Marks (Principal coauthor Senator Mello)
5	44	—	Hauser
6	—	4	Leroy Greene (Principal coauthor Senator Petris) (Coauthor Senator Dills)
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11	—	12	Mello (Principal coauthor Senator Roberti) (Senate coauthors Senators Campbell, Dills, Maddy, Keene, Kopp, Leroy Greene, Alquist, Marks, Robbins, and Torres) (Assembly Principal coauthor Assembly Member Filante) (Assembly coauthor Assembly Member Speier)
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17	38	—	Sher, Harris, Baker Katz, Eastin, and Hansen
18	—	36	Kopp, Bergeson, Deddeh, Keene, Lockyer, Marks, Nielsen, Petris, and Torres (Coauthors Assembly Members Bane, Bronzan, Willie Brown, Clute, Costa, Eastin, Eaves, Friedman, Hannigan, Hansen, Hayden, Hughes, Katz, Killea, Lancaster, Lempert, Peace, Polanco, Roos, Roybal-Allard, Quackenbush, Speier, and Vasconcellos)
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22	45	—	Willie Brown (Coauthor Assembly Member Johnston) (Coauthor Senator Lockyer)
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25	—	14	Morgan (Principal coauthor Senator Mello)
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27	3	—	Farr, Speier, Seastrand, and La Follette
28	5	—	Eastin and Hansen (Coauthors Assembly Members Farr, Willie Brown, Klehs, Areias, Bates, Burton, Campbell, Cortese, Filante, Harris, Lempert, Quackenbush, Speier, and Vasconcellos)
29	—	27	Mello
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31	15	—	Cortese (Principal coauthor Senator Torres)
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35	53	—	Elder (Coauthor Assembly Member Farr) (Coauthors Senators Cecil Green and McCorquodale)
36	9	—	Epple (Principal coauthor Senator Roberti) (Principal coauthor Assembly Member Eastin) (Coauthors Assembly Members Farr, Epple, Areias, Calderon, Cortese, Hansen, Johnston, Klehs, Lempert, Quackenbush, Hayden, Hughes, Johnston, and Katz)
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1	SCR 1	Roberti